

SYLVAN UNION SCHOOL DISTRICT

**Sylvan Elementary STEAM
Academy
COMPREHENSIVE SCHOOL
SAFETY PLAN**

2019-2020



School Site Council Approval Date: 2/18/2020

Sylvan Board of Trustees Approval Date: 3/31/2020

Preface

The Comprehensive School Safety Plan process is designed to be utilized as a school resource for prevention/mitigation, preparedness, response and recovery planning and training as well as meeting the requirements for the annual Safety Plan process under California Education Code 32280-32289 and the National Incident Management System. It is designed to be an electronic and hardcopy safety plan. This document must be updated as necessary to meet site, district and community needs, forms or requirements. It is not intended to be a “grab and go” guide in an actual emergency.

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Chapter 1: School Safety Plan-Overview

Introduction

This guide will provide a timeline and related administrative tasks to provide a process to ensure compliance with the requirements of California Education Code 32280-32289, Comprehensive School Safety Plan.

The guideline/checklist has been organized into two parts:

1. An assessment by the School Site Council and/or School Safety Planning Committee (principal/designee, guardian of child who attends the school, teacher, classified staff members, and others) of the school climate in relation to the current status of school crime committed on campus and at school-related functions. Assessment data may include: office referrals, suspension/expulsion, vandalism, theft, property damage, attendance rates including School Attendance Review Board data (SARB/DART), California Healthy Kids Survey, and other site specific data not already mentioned. Based on this assessment, safety goals have been set for the upcoming school year. SSC/Safety Planning Committee consulted with a representative from a law enforcement agency in the writing and development of the comprehensive school safety plan.

2. Each school's comprehensive safety plan will be reviewed yearly by school site staff within thirty days of the start of school and by the School Site Council by February of each school year. The annual review and evaluation of the school's comprehensive safety plan which is certified by the members of the School Safety Planning Committee, the School Site Council president, and the school principal before being presented to the Board of Trustees for final review and adoption in March of each school year. This review includes the following mandated components:
 - Child Abuse reporting procedures
 - Policies pursuant to California Education Code 48900-48915, inclusive, and other school-designated serious acts which would lead to suspensions, expulsion, or mandatory expulsion recommendations
 - Rules and procedures on school discipline in order to create a safe and orderly environment conducive to learning (discipline guidelines)
 - Procedures to notify teachers and counselors of dangerous students
 - Dress code
 - Safe ingress and egress to and from school
 - Discrimination and Harassment policy including sexual harassment
 - Bullying Policy
 - Routine and emergency disaster procedures including natural disasters, human created disasters or power outages, including adaptations for pupils with disabilities.

Implementation of Plan

Once the plan has been approved it will be distributed to all departments and will be available to all staff, students, parents, and the community to view.

Chapter 2: Sylvan Elementary STEAM Academy Safety Planning Committee

The School Site Council is responsible for developing the school site safety plan or for delegating the responsibility to a school safety planning committee (Education Code 35294.1). The school site safety committee is composed of the following members: the principal or designee, one teacher who is a representative of the recognized certificated employee organization, one parent/guardian whose child attends the school, one classified employee who is a representative of the recognized classified employee organization and other members, if desired (Education Code 35294.1). In addition, local law enforcement has been consulted (Education Code 39294.1).

The School Safety Planning Committee members are:

Position	Name
Principal/Designee	Tedde' Vaupel
Certificated Representative	Monica Aranda
Parent/Guardian	Sandra Madera
Classified Representative	Carrie Munroe
Law enforcement consult	Modesto Fire Mike Payton; Modesto Police Officer Tait; Riverbank Sheriff Chief Kiely
Other	Aime Villalovos(SSC Member)
Teacher	Bethany Bryant
Teacher	Jennifer DeJong

Other members of the school or community may provide valuable insights as members of the School Safety Planning Committee. Additional members may include:

- A representative from the local law enforcement agency
- One or more key community service providers
- Student representative(s)
- Staff leaders
- Additional Parent Representative

Chapter 3: Sylvan Elementary STEAM Academy Climate Data

Assessment of Current Status of School Crime

Yearly, the school administration will share the status of school crime with the School Site Council. This report will contain a report on office referrals, suspension/expulsion, vandalism, theft, graffiti, property damage, attendance rates including School Attendance Review Board data (SARB/DART), California Healthy Kids Survey, School Plan, and other site specific data not already mentioned. The purpose of the report will be to gather information to use in the yearly review of the School Safety Plan. Trends will be studied. Data from school hours and incidents during non-school hours, will allow the Site Council to make recommendations on interventions and adjustments to the Safety Plan.

	2018-2019	2019-2020
Office Referrals	15	11
Suspensions	11	8
Expulsions	0	0
Vandalism	0	0
Theft	0	0
Graffiti	0	0
Property Damage	0	0
Attendance Rates	95.99%	96.28%
SARB/DART	0	0
California Healthy Kids Survey (Middle Schools Only)	N/A	N/A
Other:		

Chapter 4: *Sylvan Elementary STEAM Academy* Emergency Contacts

Phone numbers not for public view.

Position	Name	Phone Number
Principal	Tedde' Vaupel	(209)480-4070
Assistant Principal	N/A	N/A
Administrative Designee	Monica Aranda	(209)402-0239
Office Manager	Krista Holmes	(209)404-1415
Staff Secretary	Barbara Fromuth	(209)324-3947
School Counselor	Megan Levin	(707)663-1757
School Counselor	N/A	N/A
Building Emergency Contact	Simon Garcia	(209)606-0481
After Hours Building Contact	Sean Smith/ Bobby Watson	209-996-2240 / 209-596-3343
Day Custodian	Simon Garcia	(209)606-0481
Night Custodian	Tha Soy	(209)324-5103
Child Welfare	Carrie Albert	209-574-5000 ext 243
Superintendent	Mrs. Debra Hendricks	209-574-5000 ext 202

Chapter 5: Crisis Response

Crisis Response

As soon as possible, the site administrator or designee will contact the Superintendent/Child Welfare to report the crisis situation and seek assistance and support.

The Superintendent/Child Welfare will:

1. Coordinate and communicate with law enforcement and emergency services to serve as a liaison with the school site. Open lines of communication are the priority.
2. Work cooperatively with the site administrator on response and communication.
3. Contact the Superintendent/Child Welfare and Assistant Superintendents to involve them as appropriate in decision making and planning for the use of District and community resources.
4. With the Superintendent and Assistant Superintendents designate a spokesperson to deal with media relations in conjunction with a site person. This applies during the crisis and post-crisis.
5. Contact the Supervisor of Transportation if there is to be an evacuation or other transportation implications.
6. Contact the Director of Food Service if an alternate or extended process for feeding of students is necessary.
7. Contact the Supervisor of Maintenance and Operations if there are issues with site safety (safety/structural assessment) or manpower is needed for securing the buildings or site.
8. Contact district office secretarial personnel to assist with telephone answering and managing parent contact such as when releasing students.

Crisis Team For Student and Staff Counseling and Support Services

The site administrator or designee will contact the Superintendent/Child Welfare if one of the following issues should arise so that a Crisis Team can be brought to the site to provide counseling and support services to deal with an event or the aftermath. Examples of reasons to contact are suicide, death of a student, death of a staff member, post-crisis recovery, etc. The Superintendent/Child Welfare will then choose from the following list the appropriate responder to support students and staff emotionally and protect the safety of all during and after the event:

1. District counselors and psychologists
2. School Nurses
3. Stanislaus County Mental Health Department
4. Center for Human Services
5. Hospice
6. Sierra Vista Children's Center
7. American Red Cross

8. Salvation Army
9. Stanislaus County Disaster Preparedness—Emergency Services
10. Other

Post-Crisis Damage Assessment Team

Post-crisis, the Damage Assessment Team will conduct a preliminary damage assessment of the school site grounds, structures, and infrastructure to gather information for the Administration to make the decisions necessary to protect the safety of all adults and students. This assessment will be undertaken with emergency personnel (law enforcement, fire department, Stanislaus county Disaster Preparedness and Emergency Services, Riverbank Public Works Department, Modesto City Forestry, Modesto Irrigation District for water and electricity, Pacific Gas and Electric, etc). District members of the team will include the site administrator, site head custodian, Supervisor of Maintenance and Operations, and anyone else deemed necessary to assess the situation.

Custodial Security Checks

The Head Custodian at each site makes daily rounds in the morning prior to the start of school. During this time to open the site for staff and students, the Head Custodian looks for any vandalism, graffiti, or anything out of the ordinary. If a dangerous condition exists, the Supervisor of Maintenance and Operations and Site Administrator may be contacted for a plan to address the situation prior to staff and students entering campus. If the issue can be addressed by the custodian and district staff, the school day may proceed as normal. If a dangerous situation will persist, the Supervisor of Maintenance & Operations and Site Administrator will contact the Superintendent/Child Welfare or other District Office Administrator for a decision on contacting law enforcement, emergency services, or decision to not occupy the building until the issue is addressed.

Chapter 6: Policies and Procedures

Mandated Policies and Procedures

The School Safety Planning Committee has reviewed the site safety plan and made necessary updates and revisions. The safety plan includes the following components (Education Code 35294.10):

- Child abuse, mandated reporting consistent with Penal Code 11164 and SUSD Board Policy 5141.4 and SUSD AR Policy 5141.4
- Policies pursuant to Education Code 48900-48915 and other school-designated serious acts which would lead to suspension, expulsion or mandatory expulsion recommendations.
- The rules and procedures on school discipline adopted pursuant to Education Code sections 35291 and 35291.5 (SUSD Board Policy 5144, “discipline”) to create a safe and orderly environment conducive to learning at school.
- Procedures to notify teachers and counselors of dangerous students pursuant to Education Code 49079.
- Dress Code
- Procedures for safe access and exit of students, parents/guardians, and employees to and from the school.
- Discrimination and harassment policy pursuant to Education Code 212.5
- Bullying Policy
- Routine and emergency disaster procedures, including: emergency and disaster preparedness plan, fire drills, bomb threats, earthquake emergency procedure system and transportation safety and emergencies.

Child Abuse

Definition of Child Abuse

Child abuse means a physical injury that is inflicted by other than accidental on a child by another person; 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); and the physical or emotional neglect of a child or abuse in out-of-home care. AR 5141.4(a) provides guidance on prevention and reporting.

Child Abuse

- A physical injury inflicted on a child by another person other than by accidental means.
- The sexual abuse, assault, or exploitation of a child.
- The negligent treatment or maltreatment of a child by a person responsible for the child’s welfare under circumstances indicating harm or threatened harm to the child’s health or welfare. This is whether the harm or threatened harm is from acts or omissions on the part of the responsible person.
- The willful harming or endangerment of the person or health of a child, any cruel or inhumane corporal punishment or any injury resulting in a traumatic condition.

One does not have to be physically present or witness the abuse to identify suspected cases of abuse, or even have definite proof that a child may be subject to child abuse or neglect. Rather, the law requires that a person have a “reasonable suspicion” that a child has been the subject of child abuse or neglect.

Under the law, this means that it is reasonable for a person to entertain a suspicion of child abuse or neglect, based upon facts that could cause a reasonable person, in a like position, drawing, when appropriate, on his or her training and experience, to suspect child abuse or neglect.

Mandated Child Abuse Reporting

Mandated child abuse reporting is governed by the Child Abuse and Neglect Reporting Act, Penal Code 11164. A list of persons whose profession qualifies them as “mandated reporters” of child abuse or neglect is found in California Penal Code Section 11165.7. The list is extensive and continues to grow. It includes all school/district employees, administrators, and athletic coaches. All persons hired into positions included on the list of mandated reporters are required, upon employment, to be provided with a statement, informing them that they are a mandated reporter and their obligations to report suspected cases of abuse and neglect pursuant to California Penal Code Section 11166.5.

All persons who are mandated reporters are required, by law, to report all known or suspected cases of child abuse or neglect. It is not the job of the mandated reporter to determine whether the allegations are valid. If child abuse or neglect is reasonably suspected or if a pupil shares information with a mandated reporter leading him/her to believe abuse or neglect has taken place, the report must be made. No supervisor or administrator can impede or inhibit a report or subject the reporting person to any sanction.

The mandated report 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 possible by telephone AND a written report must be sent within 36 hours of the telephone call to Child Protective Services of Stanislaus County (209) 558-3665 or fax (209) 558-3268. Make sure you keep the name of the social worker with whom you spoke. If the child is in imminent danger, call 911. A copy of the report must be send to the Superintendent’s Office for the record. A person who fails to make a required report is guilty of a misdemeanor punishable by up to six months in jail and/or up to a \$1,000 fine (California Penal Code Section 11166[c]).

When two or more persons who are required to report are present and jointly knowledge 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.

Penal Code 11165 defines a child as any person under 18 years of age.

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 counselor and/or local law enforcement to determine if particular provisions under this section are current and in effect.

Discipline

No student will be allowed to disrupt the normal school day activity or to compromise the health and safety of the campus.

Suspension and Expulsion Policies

Per Education Code 48900(s) and SUSD Board Policy 5144.1 (a) - (d), a pupil may not be suspended or expelled for any of the acts listed above unless that act is related to school activity or school

attendance occurring within a school under the jurisdiction of the superintendent or principal or occurring within any other school district.

A pupil may be suspended or expelled for acts which are enumerated in this section and related to school activity or attendance that occur at any time, including but not limited to, any of the following:

- while on school grounds;
- while going to or coming from school;
- during the lunch period, whether on or off the campus;
- during, or in route to and from, a school sponsored activity.

Statement of Rules and Procedures on School Discipline

Every teacher in the public schools shall hold pupils to a strict account for their conduct on the way to and from school, on the playgrounds, or during recess. A teacher, assistant principal, principal, or any other certificated employee of a school district, shall not be subject to criminal prosecution or criminal penalties for the exercise, during the performance of his duties, of the same degree of physical control over a pupil that a parent would be legally privileged to exercise but which in no event shall exceed the amount of physical control reasonably necessary to maintain order, protect property, or protect the health and safety of pupils, or to maintain proper and appropriate conditions conducive to learning. (Education Code 44807). The provisions of this section are in addition to and do not supersede the provisions of 49000.

Notification to Students and Parents on School Discipline

Parents and students shall be notified of the district and school site rules pertaining to student discipline at the beginning of the first semester, and at the time of enrollment for students who enroll thereafter. The discipline policy shall be reviewed annually with input from site administrators, staff, students, and parents.

Staff Notification of Dangerous Students

Two times a year (August and January) principals are required to notify teachers of their current students who have been suspended for Ed Codes 48900 (except h), 48900.2, 48900.3, 48900.4, or 48900.7. It is the responsibility of the site administrator and teachers to assure that this information is kept confidential.

Education Code:

- 49079(a) A school district shall inform the teacher of each pupil who has engaged in, or is reasonably suspected to have engaged in, any of the acts described in any of the subdivisions, except subdivision (h), of Section 48900 or in Section 48900.2, 48900.3, 48900.4, or 48900.7 that the pupil engaged in, or is reasonably suspected to have engaged in, those acts. The district shall provide the information to the teacher based upon any records that the district maintains in its ordinary course of business, or receives from a law enforcement agency, regarding a pupil described in this section.
- 49079 (e) Any information received by a teacher pursuant to this section shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher.

Dress Code Policy

Appropriate dress is necessary for the healthy, safe, and uninterrupted operation of school and classes. Student attire should be neat and clean. SUSD Board Policy 5132 prohibits the wearing of clothing

and/or adornment that advertises alcoholic beverages, tobacco products, controlled substances, or gang activity. Such use can be potentially life threatening and is prohibited on school grounds and at school activities on/off campus. Any student who violates the dress code policy of the school site shall be requested to change his or her clothing for the first offense. Students shall be requested to change their clothing and shall be disciplined for each subsequent offense for willful defiance per school and district policy.

Procedures for Safe Ingress and Egress to and from School

Through a collection of Board Policies and Administrative Regulations, Sylan Union School District has established procedures to ensure the Safe Ingress and Egress of students, parents, and school employees to and from school. The list below shows applicable board policies and administrative regulations and how they contribute to this safety component.

To assist students in safely crossing streets adjacent to or near school sites, the Board may assign crossing guards and/or establish a safety patrol at any district school. The superintendent or designee shall periodically examine traffic patterns within school attendance areas in order to identify locations where crossing assistance may be needed. SUSD BP 5142

SUSD Administrative Regulation 3543 provides a framework for school bus transportation safety plans and procedures including, passenger restraint systems, fire extinguishers, electronic communication devices, safe bus operations, unauthorized entry, transportation safety plan for boarding and exiting buses, parent notifications, student instruction, and bus accidents.

In order to help ensure the safety and well-being of students, bus drivers, and others, the Board of Trustees expects students to exhibit appropriate and orderly conduct at all times when using school transportation, including while preparing to ride, riding, or leaving the bus. Students found to be in violation of the District's bus conduct shall be subject to discipline in accordance with Board Policy and Administrative Regulations. SUSD BP 5131.1

SUSD Board Policy 5131.7 prohibits the possession of weapons, imitation firearms or dangerous instruments of any kind in school buildings, on school grounds or buses, at school-related or school-sponsored activities away from school, or while going to or coming home from school.

In addition to the safety measures defined above, student safety will also be ensured through the control of the ingress and egress of campus visitors as defined in SUSD Board Policy 1250: To ensure the safety of students and staff and avoid potential disruptions, any person who is not a student or staff member shall register immediately upon entering any school building or grounds when school is in session. For purposes of school safety and security, the district and site administrators will develop and ensure use of a visible means of identification for all individuals who are not students or staff members while on school premises.

Discrimination and Harassment Policies

A comprehensive prohibition of discrimination and harassment across all district programs and activities is identified in SUSD Board Policy 0410, which states that the Board of Trustees is committed to providing equal opportunity for all individuals in education. District programs, activities, and practices

shall be free from discrimination based on race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

The district's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. In addition, when 15 percent or more of a school's students speak a single primary language other than English, those materials shall be translated into that other language. SUSD BP 0410

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, includes physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also shall include the creation of a hostile environment when the prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who files or otherwise participates in the filing or investigation of a complaint or report regarding an incident of discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint. SUSD BP 5145.

Disciplinary Actions

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion for behavior that is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal. SUSD BP 5145.3

Sexual Harassment Policy

The Governing Board 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 who has experienced off-campus sexual harassment that has a continuing effect on campus to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer. Once notified, the principal or compliance officer shall take the steps to investigate and address the allegation, as specified in the accompanying administrative regulation. SUSD BP 5145.7

Instruction/Information - SUSD BP 5145.7

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

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

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.

Complaint Procedure

Complaints regarding harassment/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.

Bullying Policy: SUSD BP 5131.2

The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No individual or group shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, retaliate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel.

Cyberbullying includes the creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

Bullying Prevention

To the extent possible, district schools shall focus on the prevention of bullying by establishing clear rules for student conduct and implementing strategies to promote a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying.

Reporting and Filing of Complaints

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee. Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report his/her observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3 - Uniform Complaint Procedures.

Discipline

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in

Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

Chapter 7: Standards Response Protocol

The Standard Response Protocol

A critical ingredient in the safe school recipe is the uniform classroom response to any incident. Weather events, fires, accidents, intruders and other threats to student safety are scenarios that are planned and trained for by school and district administration and staff. Historically, schools have taken this scenario-based approach to respond to hazards and threats. It's not uncommon to find a stapled sheaf of papers or even a tabbed binder in a teacher's desk that describes a variety of things that might happen and the specific response to each event.

SRP is Action Based

The Standard Response Protocol (SRP) is based not on individual scenarios but on the response to any given situation. Like the Incident Command System (ICS), SRP demands a specific vocabulary but also allows for great flexibility. The premise is simple - there are four specific actions that can be performed during an incident. When communicating these, the



action is labeled with a "Term of Art" and is then followed by a "Directive." Execution of the action is performed by active participants, including students, staff, teachers and first responders.

- **Lockout** is followed by the Directive: "Secure the Perimeter" and is the protocol used to safeguard students and staff within the building.
- **Lockdown** is followed by "Locks, Lights, Out of Sight" and is the protocol used to secure individual rooms and keep students quiet and in place.
- **Evacuate** is always followed by a location, and is used to move students and staff from one location to a different location in or out of the building.
- **Shelter** is always followed by a type and a method and is the protocol for group and self protection.

These specific actions can act as both a verb and a noun. If the action is Lockdown, it would be announced on public address as "Lockdown! Locks, Lights, Out of Sight." Communication to local Law Enforcement Agency would then be "We are under Lockdown." Each response has specific student and staff action. The Evacuate response is always followed by a location: "Evacuate to the Bus Zone." Responses can also be combined: "Evacuate to Hallway; Shelter for Tornado; Drop, Cover and Hold."

Benefits

The benefits of SRP become quickly apparent. By standardizing the vocabulary, all stakeholders can understand the response and status of the event. For students, this provides continuity of expectations and actions throughout their educational career. For teachers, this becomes a simpler process to train and drill. For first responders, the common vocabulary and protocols establish a greater predictability that persists through the duration of an incident. Parents can easily understand the practices and can

reinforce the protocol. Additionally, this protocol enables rapid response determination when an unforeseen event occurs.

The protocol also allows for a more predictable series of actions as an event unfolds. An intruder event may start as a Lockdown, but as the intruder is isolated, first responders might transition parts of the school to an "Evacuate to the Gym and Lockdown," and later "Evacuate to the Bus Zone."

Lockout vs. Lockdown

The differentiation between Lockout and Lockdown is a critical element in SRP. A Lockout recovers all students from outside the building, secures the building perimeter and locks all outside doors. This would be implemented when there is a threat or hazard outside of the building. Criminal activity, dangerous events in the community, or even a vicious dog on the playground would be examples of a Lockout response. While the Lockout response encourages greater staff situational awareness, it allows for educational practices to continue with little classroom interruption or distraction.

Lockdown is a classroom-based protocol that requires locking the classroom door, turning off the lights and placing students out of sight of any corridor windows. Student action during Lockdown is to remain quiet. It does not mandate locking outside doors. There are several reasons for not locking perimeter doors during a Lockdown. Risk is increased to students or staff in exposed areas attempting to lock outside doors. Locking outside doors inhibits entry of first responders and increases risk as responders attempt to breach doors.

There may be situations where both Lockdown and Lockout need to be performed, but in this case they are identified individually. "Lockout! Secure the Perimeter. Lockdown! Locks, Lights, out of Sight." would be announced on public address. We are in "Lockdown and Lockout" would be conveyed to emergency services or 911.

Tactical Responses

SRP also acknowledges that some school incidents involve a tactical response from law enforcement, and suggests consulting with local law enforcement for specific simple actions in that event.

IN AN EMERGENCY WHEN YOU HEAR IT. DO IT.

LOCKDOWN! LOCKS, LIGHTS, OUT OF SIGHT.

STUDENTS

Move away from sight
Maintain silence
Do not open the door

TEACHER

Lock interior doors
Turn out the lights
Move away from sight
Do not open the door
Maintain silence
Take attendance



LOCKOUT! SECURE THE PERIMETER.

STUDENTS

Return inside
Business as usual

TEACHER

Bring everyone indoors
Lock perimeter doors
Increase situational awareness
Business as usual
Take attendance



EVACUATE! TO ANNOUNCED LOCATION.

STUDENTS

Bring your phone
Leave your stuff behind
Follow instructions

TEACHER

Lead evacuation to location
Take attendance
Notify if missing, extra or injured students



SHELTER! HAZARD AND SAFETY STRATEGY.

STUDENTS

Hazard	Safety Strategy
Tornado	Evacuate to shelter area
Hazmat	Seal the room
Earthquake	Drop, cover and hold
Tsunami	Get to high ground

TEACHER

Lead safety strategy
Take attendance



EN UNA EMERGENCIA

CUANDO OIGAS ESTAS INSTRUCCIONES, SÍGUELAS.

LOCKDOWN (CIERRE DE EMERGENCIA): BLOQUEO DE PUERTAS, LUCES APAGADAS, FUERA DE LA VISTA.

ESTUDIANTES

Desplázate a un lugar donde no se te vea
Guarda silencio
No abras la puerta

DOCENTES

Bloquee las puertas interiores con los cerrojos
Apague las luces
Desplácese a un lugar donde no se le vea
No abra la puerta
Guarde silencio
Pase lista



LOCKOUT (ACCESO BLOQUEADO): CONFIRMAR QUE EL ÁREA ALREDEDOR DEL EDIFICIO ES SEGURA.

ESTUDIANTES

Regresa al edificio
Continúa con la rutina del salón

DOCENTES

Lleve adentro a todos
Bloquee las puertas de los alrededores
Manténgase alerta sobre lo que ocurre en su entorno
Continúe con la rutina del salón
Pase lista



EVACUATE (EVACUACIÓN): A UN LUGAR DETERMINADO

ESTUDIANTES

Lleva tu teléfono
Deja el resto de tus cosas donde estén
Sigue las instrucciones

DOCENTES

Dirija la evacuación al lugar de reunión
Pase lista
Notifique si faltan estudiantes, si hay estudiantes de más, o si tiene estudiantes heridos



SHELTER (BUSCAR RESGUARDO): ESTRATEGIA DE SEGURIDAD Y PARA SITUACIONES DE RIESGO

ESTUDIANTES

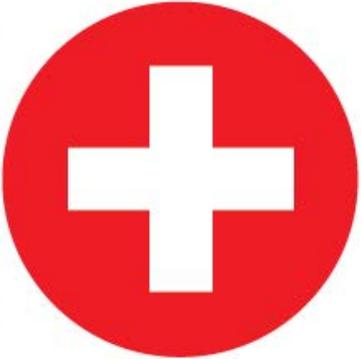
Riesgo	Estrategia de seguridad
Tornado	Evacua a un área resguardada
Materiales peligrosos	Sella el salón
Terremoto	Tírate al suelo, cúbrete y mantente en esa posición
Tsunami	Dirígete a terreno elevado

DOCENTES

Dirija la estrategia de seguridad
Pase lista



MEDICAL HELP



MEDICAL HELP



**STANDARD™
RESPONSE PROTOCOL**

LOCKDOWN

**LOCKS, LIGHTS,
OUT OF SIGHT**

- Students** are trained to:
- Move away from sight
 - Maintain silence

Teachers are trained to:

- Lock classroom door
- Lights out
- Move away from sight
- Maintain silence
- Do not open the door
- Wait for first responders to open door
- Take roll, account for students



EVACUATE TO THE ANNOUNCED LOCATION

Students are trained to:

- Leave stuff behind
- Bring their phone

Teachers are trained to:

- Grab roll sheet if possible
- Lead students to evacuation location
- Take roll, account for students
- Report problems at the evacuation assembly using this card.



LOCKOUT

SECURE THE PERIMETER

- Students** are trained to:
- Return to inside of building
 - Do business as usual

Teachers are trained to:

- Recover students and staff from outside building
- Increased situational awareness
- Take roll, account for students
- Do business as usual



SHELTER FOR A HAZARD USING SAFETY STRATEGY

Hazards might include:

- Tornado
- Hazmat
- Safety Strategies might include:
 - Evacuate to shelter area
 - Seal the room

Students are trained in:

- Appropriate hazards and safety strategies

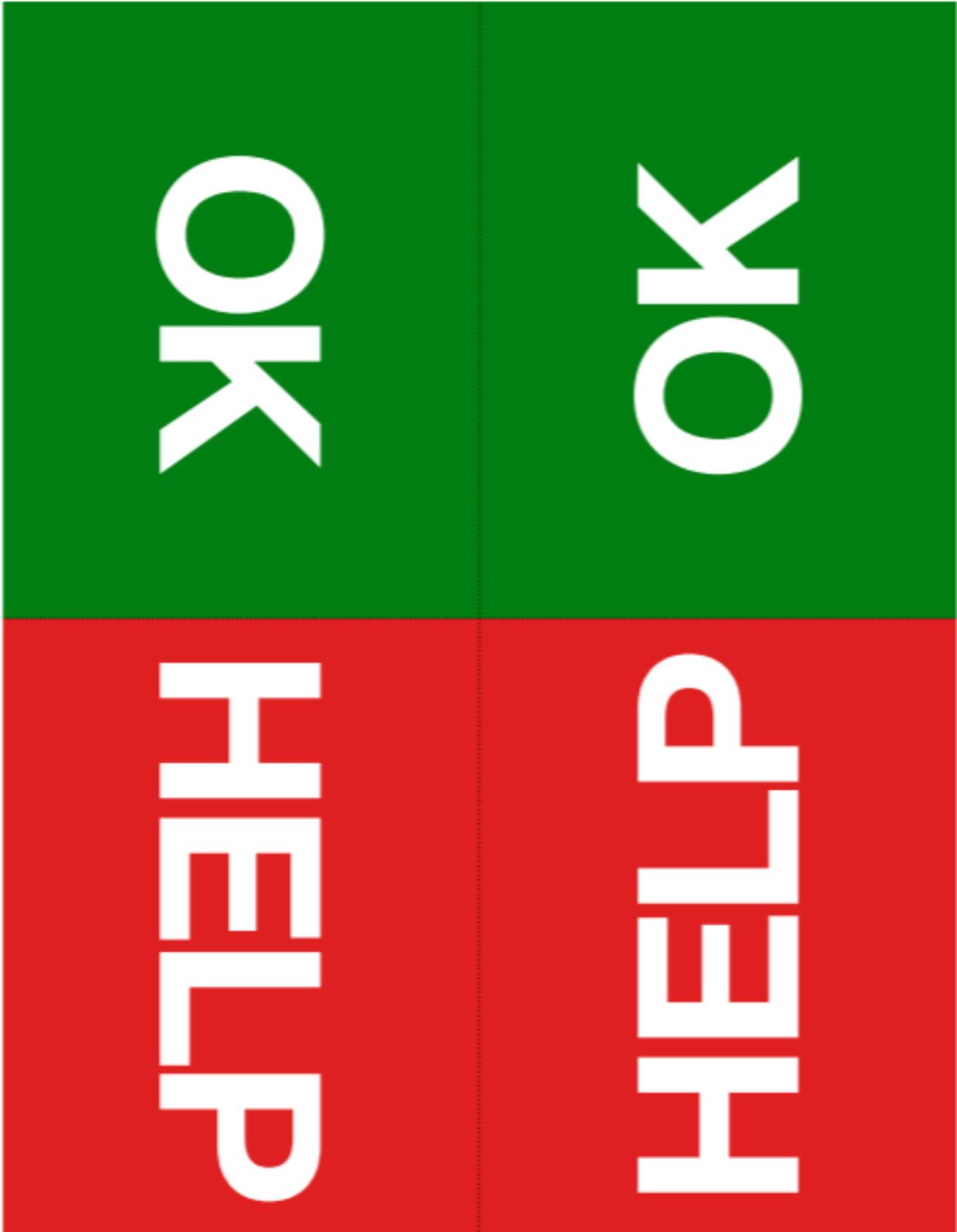
Teachers are trained in:

- Appropriate hazards and safety strategies
- Take roll, account for students



In the event of an evacuation, please take this card with you. To use this card during an Evacuation Assembly, fold along dotted lines so the appropriate message is outward facing.

SRP Card - Back for Red Card/Green Card/Medical Card



Lockdown Drill Introduction



LOCKDOWN DRILL INTRODUCTION

A critical aspect in implementing the SRP with fidelity is the Lockdown Drill. Successful drills provide participants with the “Muscle Memory” should an actual Lockdown occur. Drills also reveal deficiencies that may exist in either procedure or personnel.

PREPARATION

Prior to drilling, students, staff and administration should review the SRP Training Presentation (available at <http://iloveguys.org>).

Administration should also verify with law enforcement their use of the SRP in the school or district.

Teachers should take time with students to identify and occupy a “Safe Zone” in the classroom where they cannot be seen through any corridor windows. If visibility in a classroom is problematic, alternative locations should be identified.

Additionally, the following instructions should be delivered to students.

1. Locate yourself at a point in the classroom where you can no longer see out the corridor window.
2. Maintain silence. No cell phone calls.
3. Refrain from texting during drills.

PARTNERSHIPS

School level drills should have district support. There may also be district resources available to assist in conducting the drill. Another key partnership is with local law enforcement. Local patrol, community resource officers or school resource officers should be part of the drill process.

THE EMERGENCY RESPONSE TEAM

A common practice is for the school to have a pre-identified Building/School Emergency Response Team. In a growing number of states, these teams are legislatively mandated to be organized using the Incident Command System. Even if not mandated, this structure is effective for responding to any type of incident and is used by other first responders.

It is not uncommon for administration to survey the staff population for prior emergency response, military or law enforcement experience for placement in the team.

THE LOCKDOWN DRILL TEAM

The Lockdown Drill Team is a little different than the Emergency Response Team. During an actual Lockdown, members of the Emergency Response Team may be in classrooms or administrative offices in Lockdown mode and unable to assist with the response.

The ideal Lockdown Drill Team should include the principal, facilities manager, district safety representatives and law enforcement. In larger schools it's important to have enough people on the team to conduct the drill in a timely manner.

STAFF NOTIFICATION

When Lockdown Drills are first being introduced to a school, it is absolutely okay to tell staff in advance of the drill. There may be staff members adversely affected by surprise drills.

SPECIAL NEEDS CONSIDERATIONS

It is critical to inform special needs staff prior to every drill. Some special needs students need advance notification that a drill is going to occur. For some students, any alteration to routine can be problematic.

THE PRE-DRILL BRIEFING

Prior to the Lockdown Drill a short planning meeting with the Lockdown Drill Team should occur. The agenda is simple:

1. Review the floor plan and team member assignments
2. Expected drill duration
3. The door knock and classroom conversation
4. Potential student or staff distress
5. Announcing the Lockdown Drill

When using public address to announce a Lockdown Drill, repeat, “Lockdown. Locks, Lights, Out of Sight. This is a drill.” It's important to tell students and staff that this is a drill. Failure to do so will most likely result in parents, media and maybe even law enforcement coming to the school.

CONDUCTING THE DRILL

The Lockdown Drill Team should be broken into groups of two or three members who go to individual classrooms. One of the members acts as “Scribe” and documents each classroom response. (See Lockdown Response Worksheet.)

At the classroom door, team members listen for noise and look through the corridor window for any student or staff visibility or movement. A team member then knocks on the door and requests entry. There should be no response to this request.

At this point a member of the team unlocks the classroom door and announces their name and position.

THE CLASSROOM CONVERSATION

Typically this conversation addresses the purpose of the drill, and the observed outcome for that classroom. Additionally, self evacuation and other life safety strategies can be discussed. Any issues should be addressed gently but immediately.

WINDOWS

Often there is a conversation about inside and outside windows. Corridor windows are left uncovered so that first responders can see inside the room. Outside windows are left untouched because the threat would be inside the building.

THE LOCKDOWN DRILL TEAM DEBRIEF

At the conclusion of the drill, the team should reconvene for a debrief. Any issues should be documented and actions items should be identified.

Lockdown Drill Worksheet

LOCKDOWN DRILL WORKSHEET

School _____

Date/Time _____

Team Members _____

Stopwatch Time _____ Student Population _____ Staff Count _____



Room#							
Locks	<input type="checkbox"/> Yes <input type="checkbox"/> No						
Lights	<input type="checkbox"/> Yes <input type="checkbox"/> No						
Out of Sight	<input type="checkbox"/> Yes <input type="checkbox"/> No						
Door Knock	<input type="checkbox"/> Yes <input type="checkbox"/> No						
Why?	<input type="checkbox"/> Yes <input type="checkbox"/> No						
Options	<input type="checkbox"/> Yes <input type="checkbox"/> No						

Notes _____

Room#							
Locks	<input type="checkbox"/> Yes <input type="checkbox"/> No						
Lights	<input type="checkbox"/> Yes <input type="checkbox"/> No						
Out of Sight	<input type="checkbox"/> Yes <input type="checkbox"/> No						
Door Knock	<input type="checkbox"/> Yes <input type="checkbox"/> No						
Why?	<input type="checkbox"/> Yes <input type="checkbox"/> No						
Options	<input type="checkbox"/> Yes <input type="checkbox"/> No						

Notes _____

Lockdown Teacher Guidance



TEACHER GUIDANCE AFTER A LOCKDOWN DRILL

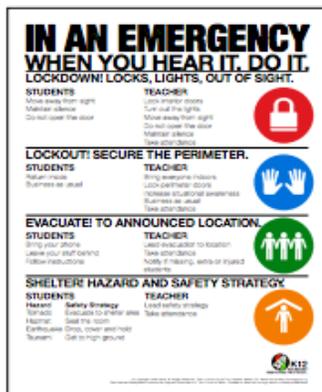
In 2010, Dr. David Benke tackled a gunman at Deer Creek Middle School in Littleton, Colorado. A 35 year veteran teacher, Dr. Benke offers his conversation with students after a Lockdown Drill. This is provided as guidance for for a conversation with students.

TALKING TO KIDS ABOUT THE SRP

There is a great deal of variation between elementary and high school. Elementary Students are much more willing to do what they are told. High school students always think they know better than adults. Perhaps with high school students our best goal is compliance rather than agreement.

BEFORE THE DRILL

This is important to insure that the drill is done well. Use the wall poster to get the conversation started.



Emphasize that the rules; no phones, silence, lights out, out of sight, locked doors, are all absolutes. Talking, poking each other, texting, will all result in a trip to administration and a requirement to redo the drill during lunch or after school until it is done perfectly.

THIS IS SERIOUS.

You are drilling to save lives. A phrase I found useful is, "I'm

trying to keep you safe. I am not going to apologize for trying to save you.

Be sure the students know someone may come by to try the door. They are to maintain silence.

SAFE ZONE

Point out where the students are to sit and hide. Be sure to find an area that is not visible from a hall window. If a student can see out the hall window, a bad guy can see in.

Check the doors and windows to your room. Are they all lockable from the correct side? If they aren't, then submit an order to have the lock changed. I kept my door locked all the time. It took a year and three requests before we could get a lock changed. Be politely persistent.

DECIDE ON YOUR STATION IN THE ROOM.

Will you sit with the kids?

Will you station yourself in ambush with what ever improvised weapon you can find?

Play baseball during a free period with the kids once a year. It gives you an excuse to have a bat in your room.

AFTER THE DRILL

This is important for the students to do Scenario Based Thinking.

The first question is crucial. After the first one the students realize that it is really ok to ask and you will probably have to end the discussion after about 10 minutes when the "what ifs" start to become absurd.

Therefore you might want to prime the pump by asking. "How many of you wonder what would happen if you are... (in the hall, in the restroom, at lunch)?"

Remember they aren't, just, trying to get out of class. I know your subject is important. You wouldn't want to teach it otherwise. But you are giving a kid a skill that is important for her entire life.

WHAT IF I AM IN THE HALL?

We will check the halls quickly before we lock and turn the lights out. Get to a classroom, any classroom, as quickly as you can and lock down.

If the classroom is already locked and lights out then find a place to hide. Do not go from classroom to classroom. We will not open the door for anyone because that person could be held hostage. If someone has a legitimate need to get in the room that person will have a key.

Call on students and ask if they have a thought about where to hide if they are in the hall. Talk about the difference between cover and concealment.

WHAT IF I AM AT LUNCH?

The same procedure applies.

WHAT IF I AM IN THE RESTROOM?

The same procedure applies.

WHAT IF A BAD GUY COMES IN THE ROOM?

The kids should know to evacuate. Tell them which door and to where, preferably to another room to lock down. Decide what you are going to do because the next question will be, "Mrs. Faversham? What are you going to do?"

WHAT IF I AM OUTSIDE?

Go to (name your evacuation site). Ask if they know how to get there. Discuss how to get to the evacuation site the fastest way. Or get in the school, get in a classroom and lock down.

Let the cops do their job. If you need help go to a teacher.

Lockout Condition



LOCKOUT CONDITION

Lockout is called when there is a threat or hazard **outside** of the school building. Whether it's due to violence or criminal activity in the immediate neighborhood, or a dangerous animal in the playground, Lockout uses the security of the physical facility to act as protection.

PUBLIC ADDRESS

The public address for Lockout is: **"Lockout! Secure the perimeter"** and is repeated twice each time the public address is performed.

ACTIONS

The Lockout Protocol demands bringing students into the main building and locking all outside access points.

Where possible, classroom activities would continue uninterrupted. Classes that were held outside, such as gym class, would return to the building and if possible continue class inside the building.

There may be occasions where students expect to be able to leave the building - end of classes, job commitment, etc. Depending on the condition, this may have to be prevented. During the training period, it should be emphasized to students as well as their parents that they may be inconvenienced by these directives, but their cooperation is important to ensure their safety.

INCIDENT COMMAND SYSTEM

The School Incident Command System should be initiated.

RESPONSIBILITY

Depending on the school, administration or teachers may be required to lock the doors or windows. Staff members assigned "Primary Responsibility" for a "Lockout Zone" should be identified in advance and should actively drill the protocol. These may include doorways, windows, loading docks, and fire escape ladder access points.

The assigned staff is designated as having **"Lockout Duty."**

There should also be assigned a person with "Secondary Responsibility" for Lockout Duty in the event the person with Primary Responsibility is absent or unable to perform the protocol.

Classroom teachers or instructors are required to take roll and determine if attendance has changed since the start of class. If there are extra or missing students, the teacher should notify the front office.

The front office should field information from the classrooms regarding missing or extra students in the classroom.

REPORTER

Lockout is typically reported by emergency dispatch to the school operator. The operator then informs administration and invokes the public address.

It may also be reported to the school operator by students, staff or teachers if a threat is directly observed outside of the building.

PREPARATION

Identification and of perimeter access points that must be locked in the event of a Lockout defines the **"Lockout Perimeter."**

Logical areas, building wings or other access point groupings define individual **"Lockout Zones"** within the Lockout Perimeter.

Some campuses may have campus perimeters in addition to building perimeters, such as gates and fences. There may be conditions where the campus perimeter would or would not be affected by Lockout.

Individual Lockout Duty Checklists should be created for each person assigned with either Primary or Secondary Lockout Duty.

Preparation includes identification of staff with Primary and Secondary responsibility and assignment of these duties.

DRILLS

Lockout drills should be performed twice a year. At least one of these drills should be performed while outdoor activities are in progress.

CONTINGENCIES

There may be physical attributes to the campus that mandate special handling of a Lockout. An example would be a campus where modular building are present. It may be best for students in modular buildings to Evacuate to the main building rather than going to Lockout in the modular building.

If during a Lockout a hazard manifests inside the school - i.e.: fire, flood, hazmat, then situational decisions must be made. It may be necessary to Evacuate to a different location than would typically be indicated, according to circumstances.

EXAMPLES OF LOCKOUT CONDITIONS

The following are some examples of when a school or emergency dispatch might call for a Lockout.

- Dangerous animal on school grounds
- Criminal activity in area
- Civil disobedience



Lockdown Condition



LOCKDOWN CONDITION

Lockdown is called when there is a threat or hazard **inside** the school building. From parental custody disputes to intruders to an active shooter, Lockdown uses classroom security to protect students and staff from threat.

PUBLIC ADDRESS

The public address for Lockdown is: **“Lockdown! Locks, Lights, Out of Sight!”** and is repeated twice each time the public address is performed.

ACTIONS

The Lockdown Protocol demands locking individual classroom doors or other access points, moving room occupants out of line of sight of the corridor windows and having room occupants maintain silence.

There is no call to action to lock the building outside access points. Rather, the protocol advises to leave the perimeter as is. The reasoning is simple - sending staff to lock outside doors exposes them to unnecessary risk and inhibits first responders entry into the building.

Teachers and student training reinforces the practice on **not** opening the classroom door, once in Lockdown. Rather, no indication of occupancy should be revealed until first responders open the door.

INCIDENT COMMAND SYSTEM

The School Incident Command System should be initiated.

RESPONSIBILITY

The classroom teacher is responsible for implementing Lockdown. The teacher should lock all classroom access points and facilitate moving occupants out of sight.

Silent or whispered roll should be taken to determine if attendance has changed since the beginning of class.

REPORTER

Lockdown is typically reported by students or staff to the school operator. The operator then invokes the public address and informs administration.

It may also be reported to the school operator by local emergency dispatch.

PREPARATION

Identification of classroom access points that must be locked in the event of a Lockdown is essential preparation. These may include doorways, windows, loading docks, and fire escape ladder access points.

A “safe zone” should also be identified within the classroom that is out of sight of the corridor window. Teachers and students should be trained to not open the classroom door until a first responder or school administration unlocks it.

Students, staff and teachers should be advised that a Lockdown may persist for several hours and during an incident, silence is essential.

DRILLS

Lockdown drills should be performed twice a year. If possible one of these drills should be performed with local law enforcement personnel participation. At a minimum, to comply with SRP, law enforcement participation in the drill should occur no less than once every 2 years. (For more information on drills see page



CONTINGENCIES

Students and staff who are outside of classrooms during a Lockdown may be faced with the need to get out of sight without the benefit of an empty or open classroom.

In this situation students and staff must be trained to hide or even Evacuate themselves away from the building.

If during a Lockdown an additional hazard manifests inside the school - i.e.: Fire, flood, hazmat, then situational decisions must be made. Evacuation to a non usual location may be required.

EXAMPLES OF LOCKDOWN CONDITIONS

The following are simply some examples of when a school or emergency dispatch might call for a Lockout.

- Dangerous animal within school building
- Intruder
- Angry or violent parent or student
- Active shooter

RED CARD/GREEN CARD

Some safety plans suggest sliding a red or green card under the door to indicate status. The SRP suggests this practice **not** be taken. Based on a number of tactical assessments, the overwhelming consensus is that this practice provides information to an armed intruder that there are potential targets in that room.

Please see the section on Red Card/Green Card/Med Card.

Evacuation

Principals shall hold monthly evacuation drills at all schools.



EVACUATE CONDITION

Evacuate is called when there is a need to move students from one location to another.

PUBLIC ADDRESS

The public address for Evacuate is: **"Evacuate! To a Location"** and is repeated twice each time the public address is performed. For

instance **"Evacuate! To the Flag Pole. Evacuate! To the Flag Pole."**

ACTIONS

The Evacuate Protocol demands students and staff move in an orderly fashion.

INCIDENT COMMAND SYSTEM

The School Incident Command System should be initiated.

RESPONSIBILITY

The classroom teacher is usually responsible for initiating an evacuation. In a police led evacuation, students may be instructed to form a single file line and hold hands front and back. Or students and staff may be asked to put their hands on their heads while evacuating. Other directions may be invoked during an evacuation and student and staff should be prepared to follow specific instructions given by staff or first responders.

REPORTER

Evacuate is typically called by the school operator or in the case of a police led evacuation, by the responding officer.

PREPARATION

Evacuation preparation involves the identification of facility Evacuation Points, as well as student, teacher, and administrator training for both normal and police led evacuations

EVACUATION ASSEMBLY

The Evacuation Assembly refers to gathering at the Evacuation Assembly Point. Teachers are instructed to take roll after arrival at the Evacuation Assembly Point.

DRILLS

Evacuation drills should be performed twice a year. Fire drills constitute a valid evacuation drill. (Note: Fire Codes often mandate more frequent fire drills.)

INCIDENT COMMAND SYSTEM

The School Incident Command System should be initiated.

RED CARD/GREEN CARD/MED CARD

After taking roll the Red/Green/Med Card system is employed for administration or first responders to quickly, visually identify the status of the teachers' classes. (Select only one of the three card styles.)



- **Green Card (OK)** - All students accounted for, No immediate help is necessary
- **Red Card (Help)** - Extra or missing students, or vital information must be exchanged
- **Red and White Cross (Medical Help)** - Immediate medical attention is needed.

Schools may opt to use the SRP single sheet advisory which can be folded to any visual indicator.

RED CARD/GREEN CARD/ROLL CARD

An alternative design to the Red/Green/Med Card is the Red/Green/Roll Card.



RED CARD/GREEN CARD/ALERT CARD

Another alternative the Red/Green/Alert Card.



(Select only one of these three card styles.)

CONTINGENCIES

Students are trained that if they are separated from their class during an evacuation, then joining an evacuation line is acceptable. They should be instructed to identify themselves to the teacher in their group after arriving at the Evacuation site.

Special needs evacuation plans should be developed and drilled, including medication and pharmaceutical evacuation and chain of trust.

STANDARD REUNIFICATION METHOD

The "I Love U Guys" Foundation has developed guidance for reunifying parents with their children. These materials are available at no cost to districts, departments and agencies.

Shelter



SHELTER CONDITION

Shelter is called when the need for personal protection is necessary. Training should also include spontaneous events such as tornado, earthquake or hazmat.

PUBLIC ADDRESS

The public addresses for shelter should include the hazard and the safety strategy.

The public address is repeated twice each time the public address is performed.

HAZARDS MAY INCLUDE:

- Tornado
- Hazmat
- Earthquake
- Tsunami

SAFETY STRATEGIES MAY INCLUDE:

- Evacuate to shelter area
- Seal the room
- Drop, cover and hold
- Get to high ground

ACTIONS

Prior versions of the SRP sourced materials that were current on the FEMA website. As this FEMA guidance evolved, the FEMA information presented in SRP Operational Guidance became outdated.

It is strongly advised to remain current on both FEMA guidance regarding Shelter actions as well as local emergency manager guidance.

INCIDENT COMMAND SYSTEM

The School Incident Command System should be initiated.

RESPONSIBILITY

Each individual is responsible for sheltering. If there are special needs that prevent individual responsibility, administration should plan on how to best provide sheltering assistance.

REPORTER

Shelter is typically called by the school operator but may be called by students, teachers or first responders.

PREPARATION

Identification and marking of facility shelter areas.

DRILLS

Shelter safety strategies should be drilled once a year.

SHELTER - STATE THE HAZARD AND SAFETY STRATEGY VS. "SHELTER-IN-PLACE"

Oddly, one of the most often heard concerns about the SRP is the abandoning of "Shelter-in-place." The reason for this was simple. "Shelter-in-place" is contextual. Students and staff are somehow "supposed" to know which "Shelter-in-place" action to take.

During the initial development of the SRP, local, state and federal resources cited over a dozen different actions associated with "Shelter-in-place." Everything from hazmat to tornado to active violence to holding in a classroom were "Shelter-in-place" events.

PLAIN LANGUAGE ACT

With FEMA recommending plain, natural language,¹ the Foundation introduced the Shelter directive and suggested that rather than saying "In Place" as the action, identification of the hazard and the safety strategy would be more in keeping with the plain language commitment.

Shelter is one of the points where the SRP integrates tightly with school and district safety plans. Local hazards are very real and very important. If "Shelter-in-place" is part of emergency planner tradition and culture, it shouldn't be a stumbling block in implementing the SRP.

The goal of the SRP is that there is a shared, plain, natural language between students, staff and first responders. Evaluate how pervasive "Shelter-in-place" is, throughout the affected populations.

CUSTOMIZATION

The classroom poster is sufficient for generic Shelter guidance. The Foundation recognizes that localized hazards may need to be added to the poster. Original, digital artwork can be provided to organizations that have signed a "Notice of Intent" or a "Memorandum of Understanding" with The "I Love U Guys" Foundation.

Please note: Currently, original artwork is only provided in Mac OS X, Pages version 4.3 iWork '09. It may be compatible with Pages 6.x for Mac OS X, iOS, or iWork for iCloud beta. Currently, artwork is not available for Microsoft® Word. See FAQs.

1. Our promise to you: Writing you can understand - <https://www.fema.gov/plain-language-act> (URL still active January 2015)

Chapter 8: Drills and Emergency Disaster Procedures

Authorities, References, and Definitions

California Emergency Services Act (Chapter 7, Division 1, Title 2, California Government Code)

The California Emergency Services Act provides the basic authorities for conducting emergency operations following a proclamation of a local emergency, state of emergency, or state of war emergency by the governor and/or appropriate local authorities, consistent with the provisions of this Act.

California Government Code, Section 3100, Title 1, Division 4, Chapter 4

Public employees are disaster service workers, subject to such disaster service activities as may be assigned to them by their superiors or by law. The term "public employee" includes all persons employed by the state or any county, city, city and county, state agency or public district, excluding aliens legally employed.

The law applies to public school employees in the following cases: when a local emergency is proclaimed; when a state of emergency is proclaimed; or when a federal disaster declaration is made.

The law has two ramifications for school district employees:

It is likely that public school employees are pressed into service as disaster service workers by their superiors, and may be asked to do jobs other than their usual duties for periods exceeding their normal working hours.

1. When pressed into disaster service, employee workers' compensation coverage becomes the responsibility of state government (Governor's Office of Emergency Services), but their overtime pay is paid by the school.

These circumstances apply only when a local or state emergency is declared. The Governor's Office of Emergency Services has stated that inadequately trained school staff renders school officials potentially liable for acts committed or omitted by school staff acting within the scope of their training during or after a disaster. It requires that school districts be prepared to respond to emergencies using State Emergency

Management System (SEMS)

California Civil Code, Chapter 9, Section 1799.102

The code provides for Good Samaritan Liability for those providing emergency care at the scene of an emergency. No person, who, in good faith and not for compensation, renders emergency care at the scene of an emergency, shall be liable for any civil damages resulting from any act or omission. The scene of an emergency shall not include emergency departments and other places where medical care is usually offered (Good Samaritan Liability).

California Education Code Sections 35295-3529, 40041, and 40042

The code requires that a school site disaster plan outline roles, responsibilities, and procedures for students and staff. It also requires that the school site emergency management organizational structure comply with SEMS, Title 19 Section 2400, and be ready for implementation at all times.

California Emergency Plan

Promulgated by the governor, and published in accordance with the California Emergency Services Act, it provides overall statewide authorities and responsibilities and describes the functions and operations of government at all levels during extraordinary emergencies, including wartime. Section 8568 of the Act states, in part, that "...the State Emergency Plan shall be in effect in each political subdivision of the state, and the governing body of each political subdivision shall take such action as may be necessary to carry out the provisions thereof." Therefore, local emergency plans are considered extensions of the California Emergency Plan.

Definitions: Incidents, Emergencies, Disasters

Incident

An *incident* is an occurrence or event, either human-caused or caused by natural phenomena, which 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 emergency operations center (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 SEMS terminology to describe agencies or facilities (e.g., Emergency Response Agency, Emergency Operations Center).

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 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 EOC's.

Planning

Our school has identified the location of potential evacuation sites (on and off campus) based on the potential circumstances that may cause movement/relocation of the school population in the event of an emergency.

The school has planned for:

- identifying the population of people with disabilities,
- determining proper signage and equipment,
- training staff to assist individuals with disabilities,
- coordinating with emergency response personnel.

Procedures for Safe Ingress and Egress

In addition to planning for daily ingress/egress routes and emergency evacuation routes, the school planned for assisting students, staff and visitors with disabilities. Under the Americans with Disabilities Act of 1990, individuals who are deaf/hard of hearing, blind/partially sighted, mobility impaired and/or cognitively/emotionally impaired must be assisted. The school map identifies evacuation areas and ingress/egress routes.

On-Campus Evacuation/Assembly Location

The primary evacuation site for school sites will be the playground. Evacuation maps are posted in every classroom and office at each site.

Primary Off-Site Evacuation/Assembly Location

In the event of a need to evacuate from a school site to an off-campus location, following is a list of safe sites for each school:

Emergency Campus Evacuation

If it is necessary to evacuate the entire campus to another school or relief center, the principal will: notify the superintendent of the campus evacuation, cooperate with emergency authorities in enlisting staff with cars to help transport evacuees, direct the evacuation and assure all students/staff are accounted for as they depart and arrive.

In an emergency building evacuation all employees will:

1. Upon emergency alert, secure work area and depart/report to assigned area.
2. Perform duties as pre-assigned by the principal in cooperation with emergency services personnel.
3. Do not re-enter the building without permission or request of emergency service authorities.
4. Remain in the general assembly areas and calm students if not assigned another duty.
5. When signaled to re-enter safe areas of the school, quickly do so.
6. Upon safe re-entry, report anything amiss to the operations chief.

In an emergency building evacuation teachers will also:

1. Assemble students for evacuation using designated routes and account for all students.
2. Secure room.
3. If possible, leave a note on the door advising where the class evacuated to if other than the standard assembly area.
4. Upon arrival at the assembly area, account for all students.
5. Secure medical treatment for injured students.
6. Report any students missing or left behind because of serious injuries.
7. Stay with and calm students.
8. If signaled to re-enter school, ensure students do so calmly and account for all students.
9. Check room and report anything amiss to the team leader and/or operations chief.
10. Debrief students to calm fears about the evacuation.

District and Parent Responsibilities for Students

The Basic Plan

The basic plan addresses the school's responsibilities in emergencies associated with natural disaster, human-caused emergencies and technological incidents. It provides a framework for coordination of response and recovery efforts within the district in coordination and with local, state, and federal agencies. The plan establishes an emergency organization to direct and control operations at all sites during a period of emergency by assigning responsibilities to specific personnel.

The Basic Plan:

- Conforms to the federally mandated National Incident Management System (NIMS), State mandated Standardized Emergency Management System (SEMS) and effectively restructures emergency response at all levels in compliance with the Incident Command System (ICS).
- Establishes response policies and procedures, providing the school clear guidance for planning purposes.

- Describes and details procedural steps necessary to protect lives and property.
- Outlines coordination requirements.
- Provides a basis for unified training and response exercises to ensure compliance.

Requirements

The plan meets the requirements of Stanislaus County's policies on emergency response and planning, the Standardized Emergency Management System (SEMS) operational area response, and defines the primary and support roles of the district and individual schools in after-incident damage assessment and reporting requirements.

Objectives

- Protect the safety and welfare of students, employees and staff.
- Provide for a safe and coordinated response to emergencies.
- Protect the district's facilities and properties.
- Enable the district to restore normal conditions with minimal confusion in the shortest time possible.
- Provide for interface and coordination between sites and the district emergency operations center (EOC).
- Provide for interface and coordination between sites and the county or city EOC in which they reside.

Schools are required by both federal statute and state regulation to be available for shelters following a disaster. The American Red Cross (ARC) has access to schools in damaged areas to set up their mass care facilities, and local governments have a right to use schools for the same purposes. This requires close cooperation between school officials and ARC or local government representatives, and should be planned and arranged for in advance. This planning has been accomplished.

District Responsibility

If the superintendent declares a district emergency during the school day, the following procedures will be followed. All students will be required to remain at school or at an alternate safe site under the supervision of the school principal or other personnel assigned by the principal until regular dismissal time and released only when it is considered safe or until released to an adult authorized by the parent or legal guardian whose name appears on district records. If students are on their way to school, they should continue to on their way to school. If students are on their way home from school, they are to continue home.

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

Staff Planning Suggestions

Preparedness for emergencies starts with planning. The backbone of school planning is dependent on the staff's willingness to stay at school during a major community emergency. Personal preparedness makes this much easier. Each staff member needs to prepare their family and home for earthquakes and other emergencies. Staff members should have:

1. A 72-hour supply kit for the home,
2. A car kit, including comfortable clothes/shoes and medications,
3. Developed a plan to reunite with their family,
4. A neighborhood preparedness program.

Preparedness brochures are available from the local chapter of the American Red Cross, Stanislaus County Office of Emergency Services, www.redcross.org, www.prepare.org or www.ready.gov. If the disaster occurs during school time, smart emergency management recommends the child stay at school until the parent or a trusted friend (found on school emergency cards) picks up the child. Nobody can guess, especially in an earthquake, how impacted neighborhoods may be. This means the school staff will need to stay with the children. You can only do this if you are prepared at home. You must feel that your family can activate your family plan without you.

Parent Responsibility

Parents and legal guardians of students will be provided with a Student Health/Emergency Form each year. In case of a declared emergency, students will be released ONLY to persons designated on this form. Parents are responsible for ensuring that information on the Student Health/Enrollment Form is current at all times. Parents are asked to share with the schools the responsibility for informing students of what they should do in case of a severe earthquake or other major emergency.

Parents need to give specific directions to each student to follow the policy outlined above and to follow the directions of school personnel. **School authorities will do everything possible to care for each student while he/she is under district supervision. It is critical that students do not have directions from parents that are contrary to the district's stated policy on retention at school and authorized release in case of a severe emergency.**

Chapter 9: Special Considerations for Other Emergencies

Power Outage/Rolling Blackouts

It is the district's intent to keep schools open during a power outage. During an actual outage or anticipated outage, affected sites will be contacted as soon as practicable. Once notified, turn off computers, monitors, printers, copiers, and lights when not in use or not needed.

Preparing for an Outage

1. Update each student's emergency card.
2. Determine availability of portable lighting at site, e.g., flashlights & batteries.
3. Find out if when power is lost, do emergency lights go on and do the exit signs remain lit.
4. Clear away materials and boxes from hallways and pathways.
5. Ask your teachers to have alternative teaching methods and plans available.
6. Conduct a survey of your site for the classrooms and offices with no windows and prepare relocation plans.
7. Plan alternative communication methods that suit your site, such as runners, cell phones, or radios.
8. Develop a site plan such as a buddy system or chaperone, for restrooms or any other necessary leave during this period.
9. Have flashlights & replacement batteries available for the restrooms and other locations with no windows.
10. Ask your staff and students to have seasonal warm clothing available.
11. Use surge protectors for all computer equipment, major appliances and electronic devices.

During an Outage

1. Contact district maintenance office immediately if your site experiences a blackout.
2. Phones connected directly to a phone jack should still be operable.
3. If an outage lasts more than 30 minutes, have pre-designated people walk through the campus and check on the status of individuals in each building.
4. Use a buddy system when going to the restrooms.
5. Do not use barbecues, Coleman-type stoves, hibachis and other outdoor cooking devices indoors.
6. Do not use candles or gas lanterns.
7. Turn off computers, monitors, printers, copiers, and major appliances.
8. Shut off lights in unoccupied rooms.

Rolling outages should not last more than two hours and, with some preparation, business can be conducted as close to normal as possible. If a power outage is prolonged, the principal should contact the superintendent for directions (release students/staff, evacuation to another site, etc.).

Utility Failure or Leak

Immediately report any building emergency or problem to Principal.

- For suspected or actual utility break or water/gas leak:
- Evacuate the immediate area.
- Do not touch fallen wires.
- Check circuit breakers, pilot lights and other potential sources of the problem.
- Do not return to the area until instructed to do so.

Utility shutoff information is posted at each site at utility locations.

Bomb Threat

The person receiving the bomb threat will:

1. Attempt to gain as much information as possible when the threat is received. Do not hang up on the caller.
2. Use the "bomb threat checklist" form (see chapter 9) as a guide to collect the information needed. Don't be bashful about asking direct, specific questions about the threat. Keep the caller on the phone as long as possible. If the threat is received by phone, attempt to gain more information.
3. The most important information is: When will the bomb explode and where is the bomb located?
4. Immediately after receiving the bomb threat, verbally notify the building administrator of the threat received.
5. Complete the "bomb threat checklist" form.
6. Turn off cellular phones and/or walkie-talkie radios (transmits radio waves could trigger a bomb).

Building administrator will (if necessary):

1. Call 9-1-1 and give the following information: your name, call-back phone number, exact street location with the nearest cross street, nature of incident and number and location of people involved and/or injured.
2. Notify superintendent's office.
3. Evacuate involved buildings using fire drill procedures. Principal must have superintendent's permission to evacuate the entire site.
4. Implement a systematic inspection of the facilities to determine if everyone is out.
5. Secure all exits to prevent re-entry to buildings during the search period.
6. Be certain people stay clear of all buildings; a bomb(s) may be planted against an outside wall. The blast will be directed in large part away from the building.
7. Re-occupy buildings only when proper authorities give clearance.

Fire department or police officers shall organize a search team to check for suspicious objects; a bomb can be disguised to look like any common object. Site employees should be ready to assist as needed.

See Chapter 9 for Bomb Threat guidelines, checklists, and questionnaire.

Poisoning, Chemical Spills, Hazardous Materials

Poisoning

If a student ingests a poisonous substance: call Poison Control Center Link Line 1-800-222-1222 and take appropriate first aid measures; call parents and notify the health office.

Chemical Spill on-site

The following are guidelines for chemical spills:

1. Evacuate the immediate area of personnel.
2. Determine whether to initiate shelter-in-place protocol.
3. Secure the area (block points of entry).
4. Identify the chemical.
5. Notify the district office.

Reporting Chemical Spills

Once an emergency spill response has been completed, the person reporting the initial spill will complete a spill response evaluation. The incident must be reported to the superintendent within 24 hours of the spill.

Hazardous Substances

Hazardous substances include, but are not limited to the following: gasoline, lacquer, thinner, solvents, paint, motor oil, agricultural spray, diesel fuel, kerosene, stain, anti-freeze, airborne gases/fumes, and brake fluid.

Always call for assistance and extinguish all ignition sources, shut off main emergency switch to fuel pump, if appropriate. Move people/personnel away or evacuate from contamination area. If the spill poses an immediate student and staff hazard, all personnel should evacuate the area immediately.

Chapter 10: Incident Command System

SUSD District Incident Response Team

Incident Commander Superintendent		<i>In charge of overall management of an emergency incident or pre planned event</i>	
	Public Information Officer Superintendent Executive Assistant	Coordinates media releases and public information related to the incident.	
	Liaison Officer Assistant Superintendent of Human Resources Educational Services	Assists responding agencies from outside the school with initial information on the incident and direction in response responsibilities and incident supervisor.	
	Safety Officer Assistant Superintendent Business Services Director of Student Support Services	Ensures that all actions are done safely.	
Operations Section Chief Director of: Categorial Prog. Prof. Lrng/Induction	Planning & Intelligence Section Chief Director of Tech Director of HR Director of Sp Ed	Logistics Section Chief Director of M&O Director of Food Srvs Business Support Services Asst.	Finance / Administration Section Chief Director of Fiscal Services Accountant
Responsible for care of students and carrying out universal and specific procedures and protocols for response efforts.	Collects and evaluates information related to the development of an incident, and the status of resources.	Responsible for securing and providing needed materials, resources, services and personnel.	Tracks incident costs for reimbursement accounting - especially in case of state of emergency or disaster.

Chapter 11: Annual Emergency Preparedness Checklists and Forms

Checklists on the following pages highlight areas of school operations, maintenance, security, and personnel that may pose opportunities for risk reduction. Use this checklist as a proactive tool to generate awareness over the potential for terrorist acts, at a time when it is needed most. The recommendations contained in this checklist are not intended to represent or to replace a comprehensive school security program. Such a program would include much more.

Fire Drill, Earthquake Drill, Lockdown Drill & Bully Training Documentation

YEAR: 2019-2020

School: **Sylvan STEAM Academy**

Principal: **Ms. Vaupel**

List all dates of the drills/training that your school has scheduled to complete as required by Education code and AB9. Note: Each school must plan at least one fire drill a month, one lockdown drill per trimester, one earthquake drill per trimester, and one bully training for staff within the first 8 weeks of school.

TRIMESTER	MONTH	EVACUATE DRILL (1x month)	SHELTER DRILL: EARTHQUAKE DRILL (1x tri)	LOCK DOWN/OUT DRILL (1x tri)	BULLY TRAINING (1x w/ staff)
1	August				
	September				
	October				
2	November				
	December				
	January				
	February				
3	March				
	April				
	May				

California Ed Code Information:

§ 32001. Fire Warning System: Sounding Alarms; Fire Drills

Section 17074.52. Every person and public officer managing, controlling, or in charge of any public school, shall cause the fire alarm signal to be sounded not less than once every calendar month and shall conduct a fire drill at least once every calendar month at the elementary level (TK-8).

§ 32282. Comprehensive School Safety Plans; Contents; Disaster Procedures; Development

A drop procedure whereby each pupil and staff member takes cover under a table or desk, dropping to his or her knees, with the head protected by the arms, and the back to the windows. A drop procedure practice must be held at least once each school trimester in elementary schools (TK-8).

The comprehensive school safety plan may be evaluated and amended, as needed, by the school safety planning committee, but shall be evaluated at least once a year, to ensure that the comprehensive safety school plan is properly implemented. An updated file or all safety-related plans and materials shall be readily available for inspection by the public.

Bullying: Training for Staff: Bill AB9 requires schools to establish policies to prevent bullying, be responsive to complaints about bullying, train personnel how to recognize and intervene in bullying, and make resources available to victims of bullying.

Sylvan Union School District - Safe Schools Process

Directive: When 911 is called by a school, District Staff (Superintendent, Administrative Assistant to the Superintendent, Assistant Superintendents of Human Resources, Educational Services and Business, Director of Student Support Services, and District Office Receptionist) must be contacted by email at safe-school-info@sylvan.k12.ca.us from the Principal or designee with the following information:

Anytime 911 is called, this constitutes an emergency and the District Office Incident Response Team will respond accordingly.

Student Information:

- Use student's legal name as it is listed in Aeries.
- Birthdate
- Grade and School
 - Sample: Jane (goes by Annie) Smith, 8/6/2009, 5th grade, CF Brown

Description of Emergency:

- Location of emergency
- What happened
- Staff involved
- Who called 911 and when
 - Sample: Location: Upper grade playground; What Happened: Student fell from play structure and hit her head and arm. The student's bone was protruding from the skin. The teacher on duty, Jane Smith, contacted the school office via radio immediately after the incident. Staff Involved: Teacher Mary Jones, Nurse Judy Smith; Principal John Smith; Who Called 911: Principal Smith called 911 at 10:25 a.m.

Condition of Student after Incident:

- Describe incident
 - Sample: Student was assessed by school nurse as having a compound fracture. Student was transported via ambulance to the Memorial Hospital.

Parent/Guardian Contact:

- How was parent/guardian contacted?
- Who contacted parent/guardian?
- Who was student released to?
 - Sample: Parent was contacted by phone by Office Manager Maisie Dobbs at 10:25 a.m. Parent will meet child at hospital.

Follow-Up: Describe what happened after

Sample: Parent followed the ambulance to Memorial Hospital and Nurse Jane will follow up with parent about the injury.

U.S. Department of Justice - FBI - Suspicious Letter or Package

U.S. Department of Justice
Federal Bureau of Investigation



If you receive a suspicious letter or package What should you do?

1. Avoid handling Don't shake or bump
2. Isolate and look for indicators
3. Don't Open, Smell, or Taste
4. Treat it as Suspect! Call 911

**If you suspect a letter or package contains a bomb, radiological, biological, or chemical threat:
Isolate area immediately, Call 911, Wash your hands with soap and water.**

Indicators:

Addressed to title only or incorrect title with name.
Lopsided or uneven.
Rigid or bulky.

No return address, or restrictive markings.
Unknown powder or suspicious substance.
Possibly mailed from a foreign country.



Protruding wires.
Strange odor.
Oily stains, discolorations, or crystallization on wrapper.
Excessive tape or string.



Poorly typed or written.
Excessive postage.
Misspelled words.

Police Department: _____

Fire Department: _____

Local FBI Office: _____

(ask for the duty agent, special agent bomb technician, or weapons of mass destruction coordinator)

GENERAL INFORMATION BULLETIN 2000-3 (revised 6/11/2010)
Produced by Bomb Data Center
Weapons of Mass Destruction Operations Unit

Bomb Threat Guidelines

If an anonymous telephone call or written threat is received by school personnel regarding placement of bombs or other explosives in a building, the following procedures will be followed:

- **The Administrator**, upon being advised, will determine action to be taken.
- **If a suspicious object is found—DO NOT DISTURB!**

Telephone Call:

IF POSSIBLE, **alert other key personnel** to monitor phone call with you by using prearranged signals. The person receiving threat should attempt to keep the caller on the line. Delay the caller with such statements as, "I am sorry, I did not understand you. What did you say?"

- Get as much information as possible from the caller. Use "Bomb Threat Telephone
- "Check List" which is under the phone.
- Dial 911 and/or notify Office immediately

Letter:

If the message is in the form of a letter, the manner in which it arrived, who found it, and where it was found shall be noted. Care shall be taken in handling the message by immediately placing it in an envelope for fingerprint detection.

Notification of Authorities

- Immediately upon receipt of the message, by whatever form:
FIRST: Notify an administrator **SECOND:** Administrator notify Police at 911
- Initiate Regular Fire Drill Procedure but **DO NOT USE BELL SYSTEM.**
Responsibility for evacuation decision rests with the Principal. The fire department or bomb squad shall take over the responsibility, if they feel the situation is dangerous.
Search for the Bomb: an immediate search for the bomb shall be made by the: FIRE DEPARTMENT OR POLICE DEPARTMENT AND BY SCHOOL PERSONNEL ONLY UNDER FIRE OR POLICE DIRECTION

PUBLICITY: No publicity shall be issued at or within the schools, as this is a responsibility of law enforcement and firefighting officials, or the District Superintendent.

Suspicious Packages:

Unexpected and Unexplainable After Observation / Envelope Received, Suspicious Sounds Coming From Lockers or Other Area or a Suspicious Object

IF YOU THINK IT'S A BOMB, OR POSSIBLY A BOMB, BELIEVE THAT IT IS! IMMEDIATELY:

- Turn off and Do Not Use Cell Phone!
- Do not activate the Fire Alarm.
- Notify Administrator.
- Administrator or designee Dial 911
- Do NOT handle package
- Do not place anything over package
- Evacuate immediate area—100 yards behind cover

Secure area to prevent re-entry

Be prepared to provide officials with the following information:

Who/Why thought it was a Bomb?

Size of the article

What does the article look like?

Exact location

Bomb Threat Checklist

ACTION ASSIGNED	RESPONSIBILITY
Inform administrator or designee	Person receiving call
Call Police/Sheriff Department and/or Fire Department	Administrator or Designee
Identify the exact wording, voice sound, etc. See <u>Bomb Questionnaire</u> and <u>Bomb Threat Checklist</u>	Person receiving call
Make decisions to evacuate building	Administrator or Designee
Make decision to inform employees	Administrator or Designee
If evacuations, remain clear of buildings, trash cans, and trash dumpster. Consider a Directed Evacuation of Site	Staff
Take roll. Prepare to send roll to the administrator, if requested	Staff
Resume normal work after buildings have been inspected and determined safe. Public Safety workers will not make this determination, but only consult, the determination will be made by the school district	Staff
Avoid publicizing "scare"	Administration / Staff
Person receiving the message should complete the <u>Bomb Threat Checklist</u> form. Copies of this form are to be kept by the telephone in the administration building and distributed to staff.	Administration / Staff

Bomb Threat Questionnaire

(KEEP NEAR OR UNDER PHONE AT ALL TIMES)

TIME OF THREAT: _____ DATE: _____

Exact wording of the threat: _____

Background Noises - put a check mark to the left of the noise(s) you hear:

<input type="checkbox"/>	Street Noises	<input type="checkbox"/>	Household Noise	<input type="checkbox"/>	Male Voices
<input type="checkbox"/>	Animal Noises	<input type="checkbox"/>	Restaurant	<input type="checkbox"/>	Female Voices
<input type="checkbox"/>	Office Machinery	<input type="checkbox"/>	Factory Machinery	<input type="checkbox"/>	Kids Voices
<input type="checkbox"/>	PA System	<input type="checkbox"/>	Long Distance	<input type="checkbox"/>	Music
<input type="checkbox"/>	Other			<input type="checkbox"/>	Traffic
<input type="checkbox"/>				<input type="checkbox"/>	Local Call

Caller's Voice:

<input type="checkbox"/>	Calm	<input type="checkbox"/>	Angry	<input type="checkbox"/>	Excited	<input type="checkbox"/>	Slow
<input type="checkbox"/>	Rapid	<input type="checkbox"/>	Soft	<input type="checkbox"/>	Loud	<input type="checkbox"/>	Laughter
<input type="checkbox"/>	Crying	<input type="checkbox"/>	Normal	<input type="checkbox"/>	Distinct	<input type="checkbox"/>	Slurred
<input type="checkbox"/>	Nasal	<input type="checkbox"/>	Stutter	<input type="checkbox"/>	Lisp	<input type="checkbox"/>	Raspy
<input type="checkbox"/>	Deep	<input type="checkbox"/>	Ragged	<input type="checkbox"/>	Clearing Throat	<input type="checkbox"/>	Accent
<input type="checkbox"/>	Deep Breathing	<input type="checkbox"/>	Cracking Voice	<input type="checkbox"/>	Distinguished	<input type="checkbox"/>	
<input type="checkbox"/>	Familiar:						

Threat Language:

<input type="checkbox"/>	Well-Spoken	<input type="checkbox"/>	Incoherent	<input type="checkbox"/>	Irrational
<input type="checkbox"/>	Foul	<input type="checkbox"/>	Taped	<input type="checkbox"/>	Read

Caller's Gender: **MALE** **FEMALE** **Approximate Age:** _____

Ask the Caller:

When is bomb going to explode? _____

Where is the bomb? _____

What kind of bomb is it? _____

Did you place the bomb? _____

Why? _____

What is your name? _____

What is your address? _____

Basic Call Information: Phone number where threat was received: _____

Your Name: _____ Job Title: _____

REMARKS: _____

School Staff Phone List - CONFIDENTIAL - Site: Sylan

STAFF	LOCATION	EXTENSION	CELL PHONE
Daniel Foote	Room 10	310	(209)324-2367
Jennifer DeJong/ Nancy Nelson	Room 11	311	(661)472-8566 (209)614-9476
Julie Sanderson	Room 12	312	(209)524-2376
Mary Kelley	Room 13	313	(209)988-5933
April Jensen	Room 20	320	
Katy Lind	Room 21	321	(209)996-9534
Natalie Sordello	Room 22	322	(209)918-1921
Jean Smith	Room 23	323	(209)480-0117
Bethany Bryant	Room 24	324	(209)602-1816
Allison Kellert	Room 30 A	230	(209)247-2756
Britanni Row	Room 30 B	231	(559)361-6028
Megan Levin	Room 30 C	232	(708)663-1757
Nikki Whorton	Room 31	331	(209)484-3916
Amber Leonetti	Room 32	323	(209)614-6552
Erica Ray	Room 33	333	(209)541-8014
Andrea Fuentes	Room 34	334	(209)613-9711
Britany Welch	Room 41	341	(209)
Monica Aranda	Room 42	342	(209)402-0239
Natalie Sordello	Room 43	343	(209)606-0618
Melinda Rosenquist/Taylor HInojosa	Room 44	344	(209)404-7441 (209)996-5221
Brittany Giordano	Room 53	353	(209)765-7711
Carrie Munroe	Room 61 (library)	208	(209)985-8662
Kimberly Clark Amy Carlin Alexis True	Room 62	362	(209)345-2029/ (209)499-1008/ (209)224-4733

Joanne Faris	MPR Office	222-5828 or 222-5826	(209)499-6160
Simon Garcia	Custodial Room (end of 30's wing)	360	(209)606-0481
Tha So	Custodial Room (end of 30's wing)	360	(209)324-5103
Krista Holmes	Front Office	200	(209)404-1415
Barbara Fromuth	Front Office	201	(209)324-3947
Marisol Manipol	Nurse's Office	203	(408)839-2293
Tedde' Vaupel	Principal's Office	202	(209)480-4070

Student Release Team

A site administrator, district administrator, or designee will oversee the Student Release Team.

In order to expedite the release of students to their parents, a Student Release Area should be established and procedures developed to provide for an orderly release process. The Student Release area should be away from the evacuation assembly area and parents should be required to follow release procedures. The most important task is to guarantee that documentation is kept about to whom each student is released.

Establish one area for initial contact with adults/parents, and a second "reunion" area. The first area will check authorization for release on the student's emergency card. The parent will initial the card. Using walkie talkies, of student me -talkies are not a summoned to the reunion area. There, the student's name will be checked off the master roster by the staff.

Student Release Team Action Checklist

- Determine availability of supplies and safety of location for student release area and reunion area, if applicable.
- Set up tables, chairs, emergency cards, and master rosters in student release area. If using an initial contact area and a reunion area, set up equipment for these areas.
- Have parents or adults initial Health and Emergency Card and indicate their destination. IF NAME OF ADULT IS NOT ON EMERGENCY CARD, STUDENT CANNOT BE RELEASED.
- If adult's name is on emergency card, use walkie talkie to summon student to release or reunion area.
- Note name and destination of student on registration card or master roster before releasing the student.

Student Release Team Annual Preparation

- Maintain a current roster of all students.
- Maintain a copy of the Registration Card for each student which lists persons authorized to pick up student.
- Note on site map the location of all student release supplies.

Suggested Equipment / Supplies List

- Site Map
- Walkie-talkies
- Tables/chairs
- Clipboards and writing implements
- Barrier tape

APPENDIX - Board Policies & Administrative Regulations

Sylvan Union School District - AR 1312.3

Community Relations - Uniform Complaint Procedures

Except as the Governing Board may otherwise specifically provide in other district policies, these general uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in BP 1312.3.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

Compliance Officers

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment as the responsible employee to handle complaints regarding sex discrimination unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The individual(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

Assistant Superintendent of Human Resources
605 Sylvan Avenue, Modesto, CA 95350
(209) 574-5000

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent, if applicable, if another compliance officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which he/she has a bias or conflict of interest that would prohibit him/her from fairly investigating or resolving the complaint that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such designated employees shall include current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those involving alleged unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. Designated employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 4331 - Staff Development)

(cf. 9124 - Attorney)

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the results of an investigation. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement, if possible, one or more of the interim measures. The interim measures may remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

The Superintendent or designee shall annually provide written notification of the district's UCP, including information regarding unlawful student fees and local control and accountability plan (LCAP) requirements, and requirements related to the educational rights of foster youth, homeless students, and former juvenile court school students to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (Education Code 262.3, 48853, 48853.5, 49013, 49069.5, 51225.1, 51225.2, 52075; 5 CCR 4622)

(cf. 0420 - School Plans/Site Councils)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 1220 - Citizen Advisory Committees)

(cf. 3260 - Fees and Charges)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

(cf. 5145.6 - Parental Notifications)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.3 - Education for Juvenile Court School Students)

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the district web site and may be provided through district-supported social media, if available.

(cf. 1113 - District and School Web Sites) Title IX of the Education Amendments Act of 1972 is a federal that states: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. (cf. 1114 - District-Sponsored Social Media)

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning the UCP shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal antidiscrimination laws, if applicable
3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies, such as the U.S. Department of Education's Office for Civil Rights (OCR) in cases involving unlawful discrimination (such as discriminatory harassment, intimidation, or bullying).
4. Include statements that:
 - a. The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.

- b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
- c. A complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.
- d. Complaints should be filed in writing and signed by the complainant. If a complainant is unable to put his/her complaint in writing, for example, due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint.
- e. If a complaint is not filed in writing but the district receives notice of any allegation that is subject to the UCP, the district shall take affirmative steps to investigate and address the allegations, in a manner appropriate to the particular circumstances. If the allegation involves retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and the investigation confirms that discrimination has occurred, the district will take steps to prevent recurrence of discrimination and correct its discriminatory effects on the complainant, and on others, if appropriate.
- f. A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.
- g. The Board is required to adopt and annually update the LCAP in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.
- h. A foster youth shall receive information about educational rights related to his/her educational placement, enrollment in and checkout from school, as well as the responsibilities of the district liaison for foster youth to ensure and facilitate these requirements and to assist the student in ensuring proper transfer of his/her credits, records, and grades when he/she transfers between schools or between the district and another district.
- i. A foster youth, homeless student, or former juvenile court school student who transfers into a district high school or between district high schools as applicable shall be notified of the district's responsibility to:
 - i. Accept any coursework or part of the coursework that the student has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency, and to issue full or partial credit for the coursework completed
 - ii. Not require the student to retake any course or a portion of a course which he/she has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency
 - iii. If the student has completed his/her second year of high school before the transfer, provide the student information about district-adopted coursework and Board-imposed graduation requirements from which he/she may be exempted pursuant to Education Code 51225.1
- j. The complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 calendar days of receiving the district's decision.
In any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the respondent also shall have the right to file an appeal with the CDE in the same manner as the complainant, if he/she is dissatisfied with the district's decision.
- k. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision.

Copies of the district's UCP are available free of charge.

District Responsibilities

All UCP-related complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint unless the complainant agrees in writing to an extension of the timeline. (5 CCR 4631)

For complaints alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall inform the respondent when the complainant agrees to an extension of the timeline for investigating and resolving the complaint.

The compliance officer shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

All parties involved in the allegations shall be notified when a complaint is filed and when a decision or ruling is made. However, the compliance officer shall keep all complaints or allegations of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) confidential except when disclosure is necessary to carry out the investigation, take subsequent corrective action, conduct ongoing monitoring, or maintain the integrity of the process. (5 CCR 4630, 4964)

Filing of Complaints

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

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

All complaints shall be filed in accordance with the following rules, as applicable:

1. A written complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs may be filed by any individual, public agency, or organization. (5 CCR 4630)
2. Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630)
3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges that he/she personally suffered the unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged unlawful discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation

5. When the complainant of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when he/she is not the complainant, requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

Mediation

Within three business days after the compliance officer receives the complaint, he/she may informally discuss with all the parties the possibility of using mediation. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall ensure that all parties agree to make the mediator a party to relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

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

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed to through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or his/her representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or his/her representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. He/she shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders,

and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Similarly, a respondent's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

The compliance officer shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

Report of Findings

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Final Written Decision" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

Final Written Decision

The district's decision on how it will resolve the complaint shall be in writing and shall be sent to the complainant. (5 CCR 4631)

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties that may be involved in implementing the decision or affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), notice of the district's decision to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved attends a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For all complaints, the decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
 - a. Statements made by any witnesses
 - b. The relative credibility of the individuals involved
 - c. How the complaining individual reacted to the incident
 - d. Any documentary or other evidence relating to the alleged conduct
 - e. Past instances of similar conduct by any alleged offenders
 - f. Past false allegations made by the complainant

2. The conclusion(s) of law
3. Disposition of the complaint
4. Rationale for such disposition For complaints of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred. The determination of whether a hostile environment exists may involve consideration of the following:
 - a. How the misconduct affected one or more students' education
 - b. The type, frequency, and duration of the misconduct
 - c. The relationship between the alleged victim(s) and offender(s)
 - d. The number of persons engaged in the conduct and at whom the conduct was directed
 - e. The size of the school, location of the incidents, and context in which they occurred
 - f. Other incidents at the school involving different individuals
5. Corrective action(s), including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600

For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the notice may, as required by law, include:

- a. The corrective actions imposed on respondent.
- b. Individual remedies offered or provided to the complainant or another person who was to the subject of the complaint, but this information should not be shared with the respondent.
- c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence.
6. Notice of the complainant's right to appeal the district's decision within 15 calendar days to the CDE and procedures to be followed for initiating such an appeal
- 7.

The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

For complaints alleging unlawful discrimination based on state law (such as discriminatory harassment, intimidation, and bullying), the decision shall also include a notice to the complainant that:

1. He/she may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with the CDE. (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

Corrective Actions

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment,

intimidation, or bullying), appropriate corrective actions that focus on the victim may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation
9. Determination of whether any past actions of the victim that resulted in discipline were related to the treatment the victim received and described in the complaint

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team
6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

When an employee is found to have committed retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), that the district does not tolerate it, and how to report and respond to it.

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes for students in elementary schools, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51223, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the district shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's final written decision may file an appeal in writing with the CDE within 15 calendar days of receiving the district's decision. (Education Code 222, 48853, 48853.5, 49013, 49069.5, 51223, 51225.1, 51225.2, 51228.3, 52075; 5 CCR 4632)

When a respondent in any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) is dissatisfied with the district's final written decision, he/she, in the same manner as the complainant, may file an appeal with the CDE.

The complainant shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision. (5 CCR 4632)

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

1. A copy of the original complaint
2. A copy of the written decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the district's uniform complaint procedures
7. Other relevant information requested by the CDE (Policy Share/AR 1312.3 - Oct 2017)

Sylvan Union School District - BP 3516

Business and Non-Instructional Operations - Emergencies and Disaster Preparedness Plan

The Board of Trustees recognizes that all District staff and students must be prepared to respond quickly and responsibly to emergencies, disasters, and threats of disaster.

The superintendent or designee shall develop and maintain a disaster preparedness plan which details provisions for handling emergencies and disasters and which shall be included in the District's comprehensive school safety plan. (Education Code 32282)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516.3 - Earthquake Emergency Procedure System)

The superintendent or designee shall also develop and maintain emergency plans for each school site. In developing the District and school emergency plans, the superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators.

The superintendent or designee shall use state-approved Standardized Emergency Management System guidelines and the National Incident Command System when updating district and site-level emergency and disaster preparedness plans.

The Board shall grant the use of school buildings, grounds, and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The Board shall cooperate with such agencies in furnishing and maintaining whatever services they deem necessary to meet the community's needs. (Education Code 32282)
(cf. 1330 - Use of School Facilities)

School employees are considered disaster service workers and are subject to disaster service activities assigned to them. (Government Code 3100)
(cf. 4112.3/4212.3/4312.3 - Oath or Affirmation)
(cf. 4119.3/4219.3/4319.3 - Duties of Personnel)

LEGAL REFERENCE:
EDUCATION CODE:

32001 Fire alarms and drills
32040 Duty to equip school with first aid kit
32280-32289 School safety plans
32290 Safety devices
39834 Operating overloaded bus
46390-46392 Emergency average daily attendance in case of disaster
49505 Natural disaster; meals for homeless students; reimbursement

GOVERNMENT CODE:

3100 Public employees as disaster service workers
8607 Standardized emergency management system

CODE OF REGULATIONS, TITLE 5:

550 Fire drills
560 Civil defense and disaster preparedness plans

CODE OF REGULATIONS, TITLE 19:

2400-2450 Standardized emergency management system

UNITED STATES CODE, TITLE 42:

12101-12213 Americans with Disabilities Act

POLICY ADOPTION:

Date First Presented:	01/11/05
Date Adopted:	02/08/05
Date Revised:	02/05/08

Sylvan Union School District BP 5131 (a)

Students - Conduct

The Board of Trustees 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

POLICY ADOPTION:

Date First Presented: 05/13/03

Date Adopted: 06/10/03

Date Revised: 03/19/13

Sylvan Union School District BP 5131.2 (a)

Students - Bullying

The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No individual or group shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, retaliate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel.

(cf. 5131 - Conduct)

(cf. 5136 - Gangs)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Cyberbullying includes the creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

(cf. 5145.2 - Freedom of Speech/Expression)

Strategies for addressing bullying in district schools shall be developed with involvement of key stakeholders, including students, parents/guardians, and staff, and may be incorporated into the comprehensive safety plan, the local control and accountability plan, and other applicable district and school plans.

(cf. 0420 - School Plans/Site Councils)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 6020 - Parent Involvement)

As appropriate, the Superintendent or designee may collaborate with law enforcement, courts, social services, mental health services, other agencies, and community organizations in the development and implementation of joint strategies to promote safety in schools and the community and to provide services for alleged victims and perpetrators of bullying.

(cf. 1020 - Youth Services)

Bullying Prevention

To the extent possible, district schools shall focus on the prevention of bullying by establishing clear rules for student conduct and implementing strategies to promote a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying.

(cf. 5137 - Positive School Climate)

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6142.94 - History-Social Science Instruction)
(cf. 6163.4 - Student Use of Technology)

Staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective response.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias.

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness an act of bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)
(cf. 6164.2 - Guidance/Counseling Services)

Reporting and Filing of Complaints

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee. Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report his/her observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3 - Uniform Complaint Procedures.
(cf. 1312.3 - Uniform Complaint Procedures)

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

Investigation and Resolution of Complaints

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3.

If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

Discipline

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

(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. 6159.4 - Behavioral Interventions for Special Education Students)

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

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

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

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 Comprehensive safety plan

32283.5 Bullying; online training

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

48900-48925 Suspension or expulsion

48985 Translation of notices

52060-52077 Local control and accountability plan

PENAL CODE

422.55 Definition of hate crime

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

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

110.25 Notification of nondiscrimination on the basis of age

COURT DECISIONS

Wynar v. Douglas County School District, (2013) 728 F.3d 1062

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

Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students,

Policy Brief, February 2014 Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012

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

Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008

Bullying at School, 2003

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

Dear Colleague Letter: Bullying of Students with Disabilities, August 2013

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

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

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

Common Sense Media: <http://www.common sense media.org>

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

ON[the]LINE, digital citizenship resources: <http://www.onthelineca.org>

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

POLICY ADOPTION:

Date First Presented: 07/31/12

Date Adopted: 08/14/12

Date Revised: 02/09/16

Sylvan Union School District - BP 5131.5 (a)

Students - Vandalism and Graffiti

The Board of Trustees desires to enhance student learning by striving to provide an environment where students and staff can feel safe and secure and can take pride in their school. To that end, the superintendent or designee shall develop strategies for preventing graffiti and vandalism on school grounds, including collaborating with local law enforcement and city and county officials, as appropriate, to help develop a coordinated response to graffiti and vandalism in the community.

(cf. 0450 - Comprehensive Safety Plan)

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

(cf. 3515 - Campus Security)

(cf. 3515.3 - District Police/Security Department)

(cf. 5131.7 - Positive School Climate)

(cf. 5136 - Gangs)

(cf. 5138 - Conflict Resolution/Peer Mediation)

Students and staff are encouraged to report any graffiti or vandalism to the principal or designee for investigation. The principal or designee shall determine whether the incident necessitates an investigation pursuant to the District's sexual harassment, hate-motivated behavior, or nondiscrimination grievance procedure.

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

As appropriate, the principal or designee may contact local law enforcement in instances when the graffiti is repetitive, identifies particular targets or groups, identifies the perpetrator, and/or contains incitements to violence, threats, or intimidation. Photographs or other evidence of the vandalism or graffiti shall be preserved as necessary for investigation by the district or law enforcement and as evidence in any District disciplinary proceedings.

The principal or designee shall ensure that graffiti on school grounds is removed and covered as soon as possible, and if practicable before the beginning of the school day.

A student who commits an act of vandalism or graffiti on school grounds shall be subject to disciplinary action, including, but not limited to, suspension or expulsion in accordance with Board Policy and Administrative Regulation. If reparation for damages is not made, the District also may withhold the student's grades, diploma, and/or transcripts in accordance with law.

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

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

(cf. 5131 - Conduct)

(cf. 5144 - Discipline)

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

LEGAL REFERENCE:

EDUCATION CODE

48900 Grounds for suspension or expulsion

48904 Willful misconduct, limit of liability of parent or guardian

48904.3 Withholding grades, diplomas, or transcripts of pupils causing property damage or injury

CIVIL CODE

51.7 Right to be free from violence

52.1 Discrimination liability

1714.1 Liability of parent or guardian for act of willful misconduct by a minor

LEGAL REFERENCE (Con't):

GOVERNMENT CODE

53069.5 Reward for information

PENAL CODE

594 Vandalism

594.1 Aerosol containers of paint

594.2 Intent to commit vandalism or graffiti

594.6 Vandalism or graffiti, community service

640.5 Graffiti; facilities or vehicles of governmental entity

640.6 Graffiti

CODE OF REGULATIONS, TITLE 5

305 Student responsible for care of property

POLICY ADOPTION:

Date First Presented: 05/13/03

Date Adopted: 06/24/03

Date Revised: 02/02/10

Sylvan Union School District - BP 5131.6 (a)

Students - Alcohol and Other Drugs

The Board of Trustees believes that the use of alcohol and other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. The Board desires to keep the District's schools free of alcohol and other drugs and desires that every effort be made to reduce student use of these substances. The Board perceives this effort as an important step towards preventing violence, promoting school safety and creating a disciplined environment conducive to learning.

The superintendent or designee shall develop a comprehensive prevention and intervention program that includes instruction, referral to a rehabilitation program, enforcement/discipline, activities that promote the involvement of parents/guardians and coordination with appropriate community agencies and organizations.

(cf. 1020 – Youth Services)

(cf. 0450 – Comprehensive Safety Plan)

(cf. 4020 – Drug and Alcohol-Free Workplace)

(cf. 6020 – Parent Involvement)

The superintendent or designee shall clearly communicate to all students, staff and parents/ guardians the District's Policies, Regulations and school rules related to the use of alcohol and other drugs on school campuses or at school activities.

(cf. 1100 – Communication and the Public)

(cf. 5131.61 – Drug Testing)

(cf. 5131.62 – Tobacco)

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

The Board expects staff to conduct themselves in accordance with the District's philosophy related to alcohol and other drugs. Staff should help students see themselves as responsible partners in efforts to maintain a safe, constructive school climate.

(cf. 5137 – Positive School Climate)

Instruction

The District shall provide preventative instruction which helps students avoid the use of alcohol and other drugs. Age-appropriate K-8 instruction shall address the legal, social, personal and health consequences of drug and alcohol use, promote a sense of individual responsibility, and inform students about effective techniques for resisting peer pressure to use alcohol and other drugs.

All instruction and related materials shall consistently state that unlawful use of alcohol or other drugs is wrong and harmful. Instruction shall not include the concept of responsible use when such use is illegal.

(cf. 4131 – Staff Development)

(cf. 6142.2 – AIDS Prevention Instruction)

(cf. 6142.8 – Comprehensive Health Education)

(cf. 6143 – Courses of Study)

Enforcement/Discipline

The superintendent or designee shall take appropriate action to eliminate possession, use or sale of alcohol and other drugs and related paraphernalia on school grounds, at school events, or in any situation in which the school is responsible for the conduct and well-being of students. School authorities may search students and school properties for the possession of alcohol and other drugs in accordance with law, Board Policy and Administrative Regulations.

(cf. 5145.11 – Questioning and Apprehension)

(cf. 5145.12 – Search and Seizure)

Note: SB 966 (Ch. 972, Statutes of 1995) amended Education Code 48915 to require immediate suspension, subsequent expulsion, and referral to a program that meets specified conditions for any student who unlawfully sells a controlled substance listed in Health and Safety Code 11053-11058.

Students possessing, using or selling alcohol or other drugs or related paraphernalia at school or at a school event shall be subject to disciplinary procedures including suspension or expulsion in accordance with law, Board Policy and Administrative Regulations. Such students also may be referred to an appropriate rehabilitation program.

Staff Development

The District provides programs for adults in the school setting through an employee assistance program (EAP), a drug-free workplace policy, and employee intervention and support services. The District promotes staff wellness and encourages staff to avail themselves of these services. The District will provide services to staff regarding the Employee Assistance Program, a handbook of employee guidelines, and raising awareness regarding staff wellness.

Because all District staff potentially come in contact with students, all staff will be trained in:

- .. District's alcohol use/abuse program philosophy, policy and procedures;
- .. Staff roles and responsibilities regarding students;
- .. The effects of alcohol and other drug/use abuse;
- .. Signs and symptoms;
- .. The process of addiction;
- .. Family aspects of addiction;
- .. Prevention strategies;
- .. Referral process; and
- .. Support skills.

Certificated staff will be in-serviced in curriculum designed to educate students in the decision not to use alcohol and other drugs. A core team of staff who will be responsible for screening and processing students who have been identified and referred by staff, peers, family, community or themselves, will be trained in:

- .. District's alcohol use/abuse prevention philosophy, policy and procedures;
- .. Staff roles and responsibilities regarding students;
- .. The effects of alcohol and other drug/use abuse;
- .. Signs and symptoms;
- .. The process of addiction;
- .. Family aspects of addiction;
- .. Prevention strategies;
- .. Referral process;
- .. Support skills;
- .. In-depth youth at-risk issues;
- .. Preliminary assessment skills;
- .. Case management; and
- .. Program planning.

The Board of Trustees will provide the resources necessary to carry out staff training and development as funding is available.

LEGAL REFERENCE:

BUSINESS AND PROFESSIONS CODE:

25608 Alcohol on school property; use in connection with instruction

EDUCATION CODE:

44049 Known or suspected alcohol or drug abuse by student

48900 Suspension or expulsion (grounds)

48900.5 Suspension, limitation or imposition; exception

48901 Smoking or use of tobacco prohibited

48901.5 Prohibition of electronic signaling devices

48902 Notification of law enforcement authorities; civil or criminal immunity

48909 Narcotics or other hallucinogenic drugs

48915 Expulsion, particular circumstances

49423 Administration of prescribed medication

49480 Notice to school by parent or guardian; consultation with physician

49602 Confidentiality of pupil information

51202 Instruction in personal and public health and safety

51203 Instruction on alcohol, narcotics and restricted dangerous drugs

51210 Areas of study

51220 Areas of study, grades 7 to 12

51260 Elementary and secondary school instruction in drug education by appropriately-trained instructors

51262 Use of anabolic steroids; legislative finding and declaration

EDUCATION CODE:

51264 CDE assistance for inservice training

51265 Gang violence and drug and alcohol abuse prevention inservice

51268 Collaboration to avoid duplication of effort

HEALTH AND SAFETY CODE:

11032 Narcotics, restricted dangerous drugs and marijuana; construction of terms used in other divisions

11053-11058 Standards and schedules

11353.6 Juvenile Drug Tracking and Schoolyard Act

11357 Unauthorized possession of marijuana; punishment; prior conviction; possession in school or on school grounds

11361.5 Destruction of arrest or conviction records

11372.7 Drug program fund; uses

11802 Joint school-community alcohol abuse primary education and prevention program

11965-11969 The School-Community Primary Prevention Act

11998-11998.3 Drug and Alcohol Abuse Master Plans

11999-11999.3 Alcohol and drug program funding; no unlawful use

124175-124200 Adolescent family life program (Department of Health Services)

PENAL CODE:

13864 Comprehensive alcohol and drug prevention education

VEHICLE CODE:

13205.5 Drug and alcohol related offenses by persons under age of 21, but aged 13 or over; suspension delay or restriction of driving privileges

WELFARE AND INSTITUTIONS CODE:

828 Disclosure of information re minors

828.1 Disclosure of criminal records; protection of vulnerable staff and students

UNITED STATES CODE, TITLE 20:

5812 National education goals

PUBLIC LAW:

4001-4304 Safe and Drug-Free Schools and Communities Act.

POLICY ADOPTION:

Date First Presented: 05/13/03

Date Adopted: 06/24/03

Date Revised: 02/09/16

Sylvan Union School District - BP 5131.62 (a)

Students - Tobacco and Marijuana Use

The Governing Board recognizes the serious health risks presented by tobacco and marijuana use and marijuana use and desires to ensure that, through adoption of consistent policies, district students are made aware of those risks and, to the extent possible, protected from them. The Superintendent or designee shall establish a coordinated school health system which includes a comprehensive behavioral health education component that teaches students the knowledge, skills, and attitudes they need in order to lead healthy lives and avoid high-risk behaviors, such as tobacco and marijuana use use.

(cf. 5141.23 - Asthma Management)

The Superintendent or designee shall provide prevention, intervention, and cessation education, information, activities, and/or referrals to district students and shall ensure consistent enforcement of district policies prohibiting student possession and use of tobacco and marijuana use and marijuana products.

Prohibition Against Tobacco and Marijuana Use

Students shall not possess, smoke, or tobacco and marijuana use or any product containing tobacco and marijuana use or nicotine while on campus, while attending school-sponsored activities, or while under the supervision and control of district employees. Prohibited products include, but are not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco and marijuana use, snuff, chew packets, and betel. (Education Code 48900, 48901)

(cf. 3513.3 - Tobacco and marijuana use-Free Schools)

(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))

Students' possession or use of electronic cigarettes, electronic hookahs, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco and marijuana use products is also prohibited.

These prohibitions do not apply to a student's possession or use of his/her own prescription products. However, student possession or use of prescription products in school shall be subject to the district's policy and regulation for addressing the administration of medications on campus. (Education Code 48900)

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

Prevention Instruction

The district shall provide developmentally appropriate tobacco and marijuana use-use prevention instruction for students at selected grade levels from K-12 pursuant to Education Code 51202. Such instruction shall be aligned with state content standards and the state curriculum framework for health education and with any requirements of state and/or federal grant programs in which the district participates.

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

Intervention/Cessation Services

The district may provide or refer students to counseling, intensive education, and other intervention services to assist in the cessation of tobacco and marijuana use use. Such intervention services shall be provided as an alternative to suspension for tobacco and marijuana use possession.

(cf. 1020 - Youth Services)

(cf. 5141.6 - School Health Services)

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

Program Planning

The district's tobacco and marijuana use-use prevention and intervention program shall be based on an assessment of tobacco and marijuana use-use problems in district schools and the community, an examination of existing services and activities in the community, and a determination of high-risk student populations that are most in need of district services.

The Superintendent or designee shall coordinate with the local health department and county office of education in program planning and implementation. He/she may establish an advisory council including students, parents/guardians, district staff, representatives of the local health department and community organizations, law enforcement professionals, and/or others with demonstrated expertise in tobacco and marijuana use prevention and cessation.

(cf. 1220 - Citizen Advisory Councils)

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

The Superintendent or designee also shall coordinate the district's tobacco and marijuana use-use prevention and intervention program with other district efforts to reduce students' use of illegal substances and to promote student wellness.

(cf. 5030 - Student Wellness)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.63 - Steroids)

The Superintendent or designee shall select tobacco and marijuana use-use prevention programs based on the model program designs identified by the California Department of Education (CDE) and may adapt the model to meet district needs. (Health and Safety Code 104420)

The Superintendent or designee shall not accept for distribution any materials or advertisements that promote the use or sale of tobacco and marijuana use products. He/she also shall not accept tobacco and marijuana use-use prevention or intervention funds or materials from the tobacco and marijuana use industry or from any entity which is known to have received funding from the tobacco and marijuana use industry.

(cf. 1325 - Advertising and Promotion)

(cf. 3290 - Gifts, Grants and Bequests)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

Program Evaluation

To evaluate the effectiveness of the district's program and ensure accountability, the Superintendent or designee shall biennially administer the California Healthy Kids Survey or other appropriate student survey at selected grade levels in order to assess student attitudes toward tobacco and marijuana use and student use of tobacco and marijuana use. He/she also shall annually report to the Board, and to the CDE if required, the data specified in Health and Safety Code 104450.

(cf. 0500 - Accountability)

(cf. 5022 - Student and Family Privacy Rights)

(cf. 6162.8 - Research)

The results of program evaluations shall be used to refine program goals and objectives and make changes as needed to strengthen program implementation.

Legal Reference:

EDUCATION CODE

48900 Suspension or expulsion (grounds)

48900.5 Suspension, limitation on imposition; exception

48901 Smoking or use of tobacco and marijuana use prohibited

51202 Instruction in personal and public health and safety

60041 Instructional materials, portrayal of effects of tobacco and marijuana use use
HEALTH AND SAFETY CODE
104350-104495 Tobacco and marijuana use-use prevention education
119405 Unlawful to sell or furnish electronic cigarettes to minors
PENAL CODE
308 Minimum age for tobacco and marijuana use possession
CODE OF REGULATIONS, TITLE 17
6800 Definition, health assessment
6844-6847 Child Health and Disability Prevention program; health assessments
UNITED STATES CODE, TITLE 20
7111-7117 Safe and Drug-Free Schools and Communities Act
CODE OF FEDERAL REGULATIONS, TITLE 21
1140.1-1140.34 Unlawful sale of cigarettes and smokeless tobacco and marijuana use to minors
ATTORNEY GENERAL OPINIONS
88 Ops.Cal.Atty.Gen. 8 (2005)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

TUPE Acceptance of Funds Guidance

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008

Health Framework for California Public Schools: Kindergarten Through Grade Twelve, 2003

Getting Results: Part II California Action Guide to Tobacco and marijuana use Use Prevention Education, 2000

WEST ED PUBLICATIONS

Guidebook for the California Healthy Kids Survey

WEB SITES

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

California Department of Education, Tobacco and marijuana use-Use Prevention Education: <http://www.cde.ca.gov/ls/he/at/tupe.asp>

California Department of Public Health, Tobacco and marijuana use Control: [http://www.cdph.ca.gov/programs/tobacco and marijuana use](http://www.cdph.ca.gov/programs/tobacco%20and%20marijuana%20use)

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

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

Centers for Disease Control and Prevention, Smoking and Tobacco and marijuana use Use: [http://www.cdc.gov/tobacco and marijuana use](http://www.cdc.gov/tobacco%20and%20marijuana%20use)

U.S. Surgeon General: <http://www.surgeongeneral.gov>

POLICY ADOPTION:

Date First Presented:	05/13/03
Date Adopted:	06/10/03
Date Revised:	03/10/15

Sylvan Union School District - BP 5131.7 (a)

Students - Weapons and Dangerous Instruments

The Board of Trustees recognizes that students and staff have the right to a safe and secure campus free from physical and psychological harm and desires to protect them from the dangers presented by firearms and other weapons.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515.3 - District Police/Security Department)

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5131 - Conduct)

(cf. 5138 - Conflict Resolution/Peer Mediation)

Possession of Weapons

The Board prohibits any student from possessing weapons, imitation firearms, or other dangerous instruments, as defined in law and administrative regulation, in school buildings, on school grounds or buses, at school-related or school-sponsored activities away from school, or while going to or coming from school.

Under the power granted to the Board to protect the safety of students, staff, and others on District property and to maintain order and discipline in the schools, any school employee is authorized to confiscate any prohibited weapon, imitation firearm, or dangerous instrument from any student on school grounds.

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

Unless he/she has obtained prior written permission as specified below, a student possessing or threatening others with any weapon, dangerous instrument, or imitation firearm shall be subject to suspension and/or expulsion in accordance with law, Board Policy, and Administrative Regulations.

(cf. 5144 - Discipline)

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

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

The principal or designee shall notify law enforcement authorities when any student possesses a firearm, explosive, or other prohibited weapon or dangerous instrument without permission, sells or furnishes a firearm, or commits any act of assault with a firearm or other weapon. (Education Code 48902; Penal Code 245, 626.9, 626.10; 20 USC 7151)

(cf. 3515.2 - Disruptions)

Reporting of Dangerous Objects

The Board encourages students to promptly report the presence of weapons, injurious objects, or other suspicious activity to school authorities. The identity of a student who reports such activity shall remain confidential to the extent permitted by law.

(cf. 5125 - Student Records)

The superintendent or designee shall develop strategies designed to facilitate student reporting of the presence of injurious objects on school grounds, such as tip hotlines, electronic transmissions, or other methods that preserve the student's anonymity. Incident reports and records shall not identify the student who reported the possession. The superintendent or designee also shall inform staff, students, and parents/guardians that students who report the presence of injurious objects on school campuses are to be protected and their identity shielded.

LEGAL REFERENCE:

EDUCATION CODE

35291 Governing board to prescribe rules for discipline of the schools

48900 Grounds for suspension/expulsion

48902 Notification of law enforcement authorities

48915 Required recommendation for expulsions

48916 Readmission

49330-49335 Injurious objects

PENAL CODE

245 Assault with deadly weapon

417.4 Imitation firearm; drawing or exhibiting

626.9 Gun-Free School Zone Act of 1995

626.10 Dirks, daggers, knives, razor or stun gun; bringing or possessing in school

653k Switchblade knife

16100-17350 Definitions

22810-23025 Tear gas weapon (pepper spray)
25200-25225 Firearms, access to children
30310 Prohibition against ammunition on school grounds
UNITED STATES CODE, TITLE 20
6301-7941 No Child Left Behind Act, especially:
7151 Gun-Free Schools Act

POLICY ADOPTION:

Date First Presented:	05/13/03
Date Adopted:	06/24/03
Date Revised:	03/19/13

Sylvan Union School District - BP 5132

Students - Dress and Grooming

The Board of Trustees 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, 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's Site 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)

In order to promote student safety and discourage theft, peer rivalry and/or gang activity, the principal, staff and parents/guardians at a school may establish a reasonable dress code requiring students to wear uniforms. Such a dress code may be included as part of the school's Site 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.

If a school's plan to require uniforms is adopted, the superintendent or designee shall establish procedures whereby parents/guardians may choose to have their children exempted from the school uniform policy. Students shall not be penalized academically, otherwise discriminated against, or denied attendance at school if their parents/guardians so decide. (Education Code 35183)

The superintendent or designee shall ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms.

LEGAL REFERENCE:

EDUCATION CODE:

35183 School dress codes; uniforms

35294.1 School safety plans

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

POLICY ADOPTION:

Date First Presented: May 13, 2003

Date Adopted: June 10, 2003

Date Revised:

Sylvan Union School District - BP 5136 (a)

Students - Gangs

The Board of Trustees believes that the use of alcohol and other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. The Board desires to keep the District's schools free of alcohol and other drugs and desires that every effort be made to reduce student use of these substances. The Board perceives this effort as an important step towards preventing violence, promoting school safety and creating a disciplined environment conducive to learning.

The superintendent or designee shall develop a comprehensive prevention and intervention program that includes instruction, referral to a rehabilitation program, enforcement/discipline, activities that promote the involvement of parents/guardians and coordination with appropriate community agencies and organizations.

(cf. 1020 – Youth Services)

(cf. 0450 – Comprehensive Safety Plan)

(cf. 4020 – Drug and Alcohol-Free Workplace)

(cf. 6020 – Parent Involvement)

The superintendent or designee shall clearly communicate to all students, staff and parents/ guardians the District's Policies, Regulations and school rules related to the use of alcohol and other drugs on school campuses or at school activities.

(cf. 1100 – Communication and the Public)

(cf. 5131.61 – Drug Testing)

(cf. 5131.62 – Tobacco)

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

The Board expects staff to conduct themselves in accordance with the District's philosophy related to alcohol and other drugs. Staff should help students see themselves as responsible partners in efforts to maintain a safe, constructive school climate.

(cf. 5137 – Positive School Climate)

Instruction

The District shall provide preventative instruction which helps students avoid the use of alcohol and other drugs. Age-appropriate K-8 instruction shall address the legal, social, personal and health consequences of drug and alcohol use, promote a sense of individual responsibility, and inform students about effective techniques for resisting peer pressure to use alcohol and other drugs.

All instruction and related materials shall consistently state that unlawful use of alcohol or other drugs is wrong and harmful. Instruction shall not include the concept of responsible use when such use is illegal.

(cf. 4131 – Staff Development)

(cf. 6142.2 – AIDS Prevention Instruction)

(cf. 6142.8 – Comprehensive Health Education)

(cf. 6143 – Courses of Study)

Enforcement/Discipline

The superintendent or designee shall take appropriate action to eliminate possession, use or sale of alcohol and other drugs and related paraphernalia on school grounds, at school events, or in any situation in which the school is responsible for the conduct and well-being of students. School authorities may search students and school properties for the possession of alcohol and other drugs in accordance with law, Board Policy and Administrative Regulations.

(cf. 5145.11 – Questioning and Apprehension)

(cf. 5145.12 – Search and Seizure)

Note: SB 966 (Ch. 972, Statutes of 1995) amended Education Code 48915 to require immediate suspension, subsequent expulsion, and referral to a program that meets specified conditions for any student who unlawfully sells a controlled substance listed in Health and Safety Code 11053-11058.

Students possessing, using or selling alcohol or other drugs or related paraphernalia at school or at a school event shall be subject to disciplinary procedures including suspension or expulsion in accordance with law, Board Policy and Administrative Regulations. Such students also may be referred to an appropriate rehabilitation program. (cf. 5144./1 – Suspension and Expulsion/Due Process)

Staff Development

The District provides programs for adults in the school setting through an employee assistance program (EAP), a drug-free workplace policy, and employee intervention and support services. The District promotes staff wellness and encourages staff to avail themselves of these services. The District will provide services to staff regarding the Employee Assistance Program, a handbook of employee guidelines, and raising awareness regarding staff wellness.

Because all District staff potentially come in contact with students, all staff will be trained in:

- .. District’s alcohol use/abuse program philosophy, policy and procedures;
- .. Staff roles and responsibilities regarding students;
- .. The effects of alcohol and other drug/use abuse;
- .. Signs and symptoms;
- .. The process of addiction;
- .. Family aspects of addiction;
- .. Prevention strategies;
- .. Referral process; and
- .. Support skills.

Certificated staff will be in-serviced in curriculum designed to educate students in the decision not to use alcohol and other drugs. A core team of staff who will be responsible for screening and processing students who have been identified and referred by staff, peers, family, community or themselves, will be trained in:

- .. District’s alcohol use/abuse prevention philosophy, policy and procedures;
- .. Staff roles and responsibilities regarding students;
- .. The effects of alcohol and other drug/use abuse;
- .. Signs and symptoms;
- .. The process of addiction;
- .. Family aspects of addiction;
- .. Prevention strategies;
- .. Referral process;
- .. Support skills;
- .. In-depth youth at-risk issues;
- .. Preliminary assessment skills;
- .. Case management; and
- .. Program planning.

The Board of Trustees will provide the resources necessary to carry out staff training and development as funding is available.

LEGAL REFERENCE:

BUSINESS AND PROFESSIONS CODE:

25608 Alcohol on school property; use in connection with instruction

EDUCATION CODE:

44049 Known or suspected alcohol or drug abuse by student

48900 Suspension or expulsion (grounds)

48900.5 Suspension, limitation or imposition; exception

48901 Smoking or use of tobacco prohibited

48901.5 Prohibition of electronic signaling devices

48902 Notification of law enforcement authorities; civil or criminal immunity

48909 Narcotics or other hallucinogenic drugs

- 48915 Expulsion, particular circumstances
- 49423 Administration of prescribed medication
- 49480 Notice to school by parent or guardian; consultation with physician
- 49602 Confidentiality of pupil information
- 51202 Instruction in personal and public health and safety
- 51203 Instruction on alcohol, narcotics and restricted dangerous drugs
- 51210 Areas of study
- 51220 Areas of study, grades 7 to 12
- 51260 Elementary and secondary school instruction in drug education by appropriately-trained instructors
- 51262 Use of anabolic steroids; legislative finding and declaration

EDUCATION CODE:

- 51264 CDE assistance for inservice training
- 51265 Gang violence and drug and alcohol abuse prevention inservice
- 51268 Collaboration to avoid duplication of effort

HEALTH AND SAFETY CODE:

- 11032 Narcotics, restricted dangerous drugs and marijuana; construction of terms used in other divisions
- 11053-11058 Standards and schedules
- 11353.6 Juvenile Drug Tracking and Schoolyard Act
- 11357 Unauthorized possession of marijuana; punishment; prior conviction; possession in school or on school grounds
- 11361.5 Destruction of arrest or conviction records
- 11372.7 Drug program fund; uses
- 11802 Joint school-community alcohol abuse primary education and prevention program
- 11965-11969 The School-Community Primary Prevention Act
- 11998-11998.3 Drug and Alcohol Abuse Master Plans
- 11999-11999.3 Alcohol and drug program funding; no unlawful use
- 124175-124200 Adolescent family life program (Department of Health Services)

PENAL CODE:

- 13864 Comprehensive alcohol and drug prevention education

VEHICLE CODE:

- 13205.5 Drug and alcohol related offenses by persons under age of 21, but aged 13 or over; suspension delay or restriction of driving privileges

WELFARE AND INSTITUTIONS CODE:

- 828 Disclosure of information re minors
- 828.1 Disclosure of criminal records; protection of vulnerable staff and students

UNITED STATES CODE, TITLE 20:

- 5812 National education goals

PUBLIC LAW:

- 4001-4304 Safe and Drug-Free Schools and Communities Act.

POLICY ADOPTION:

- Date First Presented:** 05/13/03
- Date Adopted:** 06/24/03
- Date Revised:** 02/09/16

Sylvan Union School District - BP 5141.4 (a)

Students - Child Abuse Reporting Procedures

The Governing Board is committed to supporting the safety and well-being of district students and desires to facilitate the prevention of and response to child abuse and neglect. The Superintendent or designee shall develop and implement strategies for preventing, recognizing, and promptly reporting known or suspected child abuse and neglect.

The Superintendent or designee may provide a student who is a victim of abuse with school-based mental health services or other support services and/or may refer the student to resources available within the community as needed.

(cf. 1020 - Youth Services)

(cf. 5141.6 - School Health Services)

(cf. 6164.2 - Guidance/Counseling Services)

Child Abuse Reporting

The Superintendent or designee shall establish procedures for the identification and reporting of known and suspected child abuse and neglect in accordance with law.

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

(cf. 5145.7 - Sexual Harassment)

Procedures for reporting child abuse shall be included in the district and/or school comprehensive safety plan.

(Education Code 32282)

(cf. 0450 - Comprehensive Safety Plan)

District employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect.

The Superintendent or designee shall provide training regarding the duties of mandated reporters.

Legal Reference:

EDUCATION CODE

32280-32288 Comprehensive school safety plans

33195 Heritage schools, mandated reporters

33308.1 Guidelines on procedure for filing child abuse complaints

44252 Teacher credentialing

44691 Staff development in the detection of child abuse and neglect

44807 Duty concerning conduct of students

48906 Notification when student released to peace officer

48987 Dissemination of reporting guidelines to parents

49001 Prohibition of corporal punishment

51220.5 Parenting skills education

51900.6 Sexual abuse and sexual assault awareness and prevention

PENAL CODE

152.3 Duty to report murder, rape, or lewd or lascivious act

273a Willful cruelty or unjustifiable punishment of child; endangering life or health

288 Definition of lewd or lascivious act requiring reporting

11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

15630-15637 Dependent adult abuse reporting

CODE OF REGULATIONS, TITLE 5

4650 Filing complaints with CDE, special education students

UNITED STATES CODE, TITLE 42

11434a McKinney-Vento Homeless Assistance Act; definitions

COURT DECISIONS

Camreta v. Greene (2011) 131 S.Ct. 2020

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve

Health Framework for California Public Schools, Kindergarten Through Grade Twelve

WEB SITES

California Attorney General's Office, Suspected Child Abuse Report Form: http://www.ag.ca.gov/childabuse/pdf/ss_8572.pdf

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

California Department of Social Services, Children and Family Services Division: <http://www.childsworld.ca.gov>

U.S. Department of Health and Human Services, Child Welfare Information Gateway: <https://www.childwelfare.gov/can>

POLICY ADOPTION:

Date First Presented: 08/17/04

Date Adopted: 09/21/04

Date Revised: 10/06/15

Sylvan Union School District - AR 5141.4 (a)

Students - Child Abuse Prevention and Reporting

Definitions

Child abuse or neglect includes the following: (Penal Code 11165.5, 11165.6)

1. A physical injury or death inflicted by other than accidental means on a child by another person
2. Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code 11165.1
3. Neglect of a child as defined in Penal Code 11165.2
4. Willful harming or injuring of a child or the endangering of the person or health of a child as defined in Penal Code 11165.3
5. Unlawful corporal punishment or injury as defined in Penal Code 11165.4
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 5145.7 - Sexual Harassment)

Child abuse or neglect does not include:

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment (Penal Code 11165.6)
(cf. 3515.3 - District Police/Security Department)
3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian
4. would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
5. An injury caused by a school employee's use of force that is reasonable and necessary to quell disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of a student (Education Code 49001)
(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5144 - Discipline)
(cf. 6159.4 - Behavioral Interventions for Special Education Students)
6. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by a student (Education Code 49001)
(cf. 6142.7 - Physical Education and Activity)
(cf. 6145.2 - Athletic Competition)
7. Homelessness or classification as an unaccompanied minor (Penal Code 11165.15)

Mandated reporters include, but are not limited to, teachers; instructional aides; teacher's aides or assistants; classified employees; certificated pupil personnel employees; administrative officers or supervisors of child attendance; athletic coaches, administrators, and directors; administrators and employees of a licensed child day care facility; Head Start teachers; district police or security officers; licensed nurses or health care providers; and administrators, presenters, and counselors of a child abuse prevention program. (Penal Code 11165.7)

Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse or neglect. However,

reasonable suspicion does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect. (Penal Code 11166)

Reportable Offenses

A mandated reporter shall make a report using the procedures provided below whenever, in his/her professional capacity or within the scope of his/her employment, he/she has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. (Penal Code 11166)

Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on evidence of severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the appropriate agency. (Penal Code 11166.05, 11167)

Any district employee who reasonably believes that he/she has observed the commission of a murder, rape, or lewd or lascivious act by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury against a victim who is a child under age 14 shall notify a peace officer. (Penal Code 152.3, 288)

Responsibility for Reporting

The reporting duties of mandated reporters are individual and cannot be delegated to another person. (Penal Code 11166)

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, the 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 report has failed to do so shall thereafter make the report. (Penal Code 11166)

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report. (Penal Code 11166)

Any person not identified as a mandated reporter who has knowledge of or observes a child whom he/she knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to the appropriate agency. (Penal Code 11166)

(cf. 1240 - Volunteer Assistance)

Reporting Procedures

Initial Telephone Report - Immediately or as soon as practicable after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to any police department (excluding a school district police/security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department. (Penal Code 11165.9, 11166)

When the initial telephone report is made, the mandated reporter shall note the name of the official contacted, the date and time contacted, and any instructions or advice received.

1. Written Report - Within 36 hours of knowing or observing the information concerning the incident, the mandated reporter shall then prepare and either send, fax, or electronically submit to the appropriate agency a written follow-up report, which includes a completed Department of Justice form (SS 8572). (Penal Code 11166, 11168)

The Department of Justice form may be obtained from the district office or other appropriate agencies, such as the county probation or welfare department or the police or sheriff's department.

Reports of suspected child abuse or neglect shall include, if known: (Penal Code 11167)

- a. The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter
- b. The child's name and address, present location, and, where applicable, school, grade, and class
- c. The names, addresses, and telephone numbers of the child's parents/guardians
- d. The name, address, telephone number, and other relevant personal information about the person who might have abused or neglected the child
- e. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information

The mandated reporter shall make a report even if some of this information is not known or is uncertain to him/her. (Penal Code 11167)

The mandated reporter may give to an investigator from an agency investigating the case, including a licensing agency, any information relevant to an incident of child abuse or neglect or to a report made for serious emotional damage pursuant to Penal Code 11166.05. (Penal Code 11167)

2. Internal Reporting - The mandated reporter shall not be required to disclose his/her identity to his/her supervisor, the principal, or the Superintendent or designee. (Penal Code 11166)

However, employees reporting child abuse or neglect to an appropriate agency are encouraged, but not required, to notify the principal as soon as possible after the initial telephone report to the appropriate agency. When so notified, the principal shall inform the Superintendent or designee.

The principal so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and administrative regulation.

At the mandated reporter's request, the principal may assist in completing and filing the necessary forms.

Reporting the information to an employer, supervisor, principal, school counselor, co-worker, or other person shall not be a substitute for making a mandated report to the appropriate agency. (Penal Code 11166)

Training

Within the first six weeks of each school year, the Superintendent or designee shall provide training on mandated reporting requirements to district employees and persons working on their behalf who are mandated reporters.

Any school personnel hired during the school year shall receive such training within the first six weeks of employment. (Education Code 44691; Penal Code 11165.7)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall use the online training module provided by the California Department of Social Services. (Education Code 44691)

The training shall include, but not necessarily be limited to, training in identification and reporting of child abuse and neglect. In addition, the training shall include information that failure to report an incident of known or reasonably suspected child abuse or neglect as required by law is a misdemeanor punishable by imprisonment and/or a fine as specified. (Education Code 44691; Penal Code 11165.7)

The Superintendent or designee shall obtain and retain proof of each mandated reporter's completion of the training. (Education Code 44691)

Victim Interviews by Social Services

Whenever the Department of Social Services or another government agency is investigating suspected child abuse or neglect that occurred within the child's home or out-of-home care facility, the student may be interviewed by an agency representative during school hours, on school premises. The Superintendent or designee shall give the

student the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the student. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her of the following requirements: (Penal Code 11174.3)

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Neglect Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.

If a staff member agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. (Penal Code 11174.3)

Release of Child to Peace Officer

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the Superintendent or designee and/or principal shall not notify the parent/guardian, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. (Education Code 48906) (cf. 5145.11 - Questioning and Apprehension by Law Enforcement)

Parent/Guardian Complaints

Upon request, the Superintendent or designee shall provide parents/guardians with procedures for reporting suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is not English, such procedures shall be in their primary language and, when communicating orally regarding those procedures, an interpreter shall be provided.

To file a complaint against a district employee or other person suspected of child abuse or neglect at a school site, parents/guardians may file a report by telephone, in person, or in writing with any appropriate agency identified above under "Reporting Procedures." If a parent/guardian makes a complaint about an employee to any other employee, the employee receiving the information shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency. The employee also is obligated pursuant to Penal Code 11166 to file a report himself/herself using the procedures described above for mandated reporters.

(cf. 1312.1 - Complaints Concerning District Employees)

In addition, if the child is enrolled in special education, a separate complaint may be filed with the California Department of Education pursuant to 5 CCR 4650.

(cf. 1312.3 - Uniform Complaint Procedures)

Notifications

The Superintendent or designee shall provide to all new employees who are mandated reporters a statement that informs them of their status as mandated reporters, their reporting obligations under Penal Code 11166, and their confidentiality rights under Penal Code 11167. The district also shall provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167. (Penal Code 11165.7, 11166.5)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

Before beginning employment, any person who will be a mandated reporter by virtue of his/her position shall sign a statement indicating that he/she has knowledge of the reporting obligations under Penal Code 11166 and will

comply with those provisions. The signed statement shall be retained by the Superintendent or designee. (Penal Code 11166.5)

Employees who work with dependent adults shall be notified of legal responsibilities and reporting procedures pursuant to Welfare and Institutions Code 15630-15637.

The Superintendent or designee also shall notify all employees that:

1. A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of his/her professional capacity or outside the scope of his/her employment. Any other person making a report shall not incur civil or criminal liability unless it can be proven that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)
2. If a mandated reporter fails to timely report an incident of known or reasonably suspected child abuse or neglect, he/she may be guilty of a crime punishable by a fine and/or imprisonment. (Penal Code 11166)
3. No employee shall be subject to any sanction by the district for making a report unless it can be shown that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11166)

(Policy Share/AR 5141.4 – May 2017)

Sylvan Union School District - BP 5144 (a)

Students - Discipline

The Governing Board is committed to providing a safe, supportive, and positive school environment which is conducive to student learning and to preparing students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

The Superintendent or designee shall design a complement of effective, age-appropriate strategies for maintaining a positive school climate and correcting student misbehavior at district schools. The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of district discipline policies and practices.

In addition, the Superintendent or designee's strategies shall reflect the Board's preference for the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures as a means for correcting student misbehavior.

Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required by law or when other means of correction have been documented to have failed. (Education Code 48900.5)

(cf. 5020 - Parent Rights and Responsibilities)

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

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

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

(cf. 6164.5 - Student Success Teams)

The Superintendent or designee shall create a model discipline matrix that lists violations and the consequences for each as allowed by law.

The administrative staff at each school may develop disciplinary rules to meet the school's particular needs consistent with law, Board policy, and district regulations. The Board, at an open meeting, shall review the approved school discipline rules for consistency with Board policy and state law. Site-level disciplinary rules shall be included in the district's comprehensive safety plan. (Education Code 35291.5, 32282)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 9320 - Meetings and Notices)

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the district's nondiscrimination policies.

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

The Superintendent or designee shall provide professional development as necessary to assist staff in developing the skills needed to effectively implement the disciplinary strategies adopted for district schools, including, but not limited to, consistent school and classroom management skills, effective accountability and positive intervention techniques, and development of strong, cooperative relationships with parents/guardians.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

District goals for improving school climate, based on suspension and expulsion rates, surveys of students, staff, and parents/guardians regarding their sense of school safety, and other local measures, shall be included in the district's local control and accountability plan, as required by law.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

At the beginning of each school year, the Superintendent or designee shall report to the Board regarding disciplinary strategies used in district schools in the immediately preceding school year and their effect on student learning.

Legal Reference:

EDUCATION CODE

32280-32288 School safety plans

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

37223 Weekend classes

44807.5 Restriction from recess

48900-48926 Suspension and expulsion

48980-48985 Notification of parent/guardian

49330-49335 Injurious objects

52060-52077 Local control and accountability plan

CIVIL CODE

1714.1 Parental liability for child's misconduct

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

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

Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000

STATE BOARD OF EDUCATION POLICIES

01-02 School Safety, Discipline, and Attendance, March 2001

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

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

WEB SITES

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

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

Public Counsel: <http://www.fixschooldiscipline.org>

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

POLICY ADOPTION:

Date First Presented: 10/05/04

Date Adopted: 11/02/04

Date Revised: 03/10/15

Sylvan Union School District - BP 5145.3 (a) Students - Non-Discrimination/Harassment

The Governing Board desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying of any student based on the student's actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression or association with a person or group with one or more of these actual or perceived characteristics.

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school. (Education Code 234.1)

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.9 - Hate-Motivated Behavior)

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

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

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, includes physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also shall include the creation of a hostile environment when the prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who files or otherwise participates in the filing or investigation of a complaint or report regarding an incident of discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. He/she shall provide training and information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the educational program. He/she shall

report his/her findings and recommendations to the Board after each review.

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 1330 - Use of Facilities)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6164.2 - Guidance/Counseling Services)

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion for behavior that is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 5145.2 - Freedom of Speech/Expression)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
48900.3 Suspension or expulsion for act of hate violence
48900.4 Suspension or expulsion for threats or harassment
48904 Liability of parent/guardian for willful student misconduct
48907 Student exercise of free expression
48950 Freedom of speech
48985 Translation of notices
49020-49023 Athletic programs
51500 Prohibited instruction or activity
51501 Prohibited means of instruction
60044 Prohibited instructional materials

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

PENAL CODE

422.55 Definition of hate crime
422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

432 Student record
4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972
12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

COURT DECISIONS

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

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

Management Resources:

CSBA PUBLICATIONS

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

Final Guidance Regarding Transgender Students, Privacy, and Facilities, March 2014

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

FIRST AMENDMENT CENTER PUBLICATIONS

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Dealing with Legal Matters Surrounding Students' Sexual Orientation and Gender Identity, 2004

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

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, January 1999

WEB SITES

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

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

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

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

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

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

POLICY ADOPTION:

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Sylvan Union School District- BP 5145.7(a)

Students - Sexual Harassment

The Governing Board 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

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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

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

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