



Paradise Canyon Elementary School

SB 187
Comprehensive School
Safety Plan
2021-2022

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School Safety Plans

Pursuant to education Code (EC) 32280 every school in California is required to develop a comprehensive school safety plan to address safety concerns identified through a systematic planning process. A school site council or school safety planning committee shall review and update the plan. Each school shall report on the status of its plan in the annual school accountability report card.

I. Purpose

- A. Standardize the safety plans for Board presentation
- B. Include cover sheet noting changes from previous year's plan
- C. Review and revise District Disaster Preparedness Plan

II. Timeline

- A. Site Council approval in January
- B. Board approval at Board meeting in February

III. Components of the plans (as per Ed Code 32282) should include the following:

- 1. Summary of Changes
- 2. Assurances (signature page)
- 3. Assessment of the current status of the school or school-related crimes (attach Vandalism report)
- 4. Child abuse reporting procedures
- 5. Disaster procedure, routine and emergency
- 6. Policies related to suspension, expulsion or mandatory expulsion and other school designated serious acts which would lead to suspension or expulsion
- 7. Procedures regarding teacher notification of dangerous students pursuant to EC 49079
- 8. Sexual harassment policy pursuant to EC 212.5
- 9. Provisions of any school wide dress code, established pursuant to EC 35183
- 10. Procedures for safe ingress and egress to and from school
- 11. A safe and orderly environment conducive to learning
- 12. Rules and procedures on school discipline adopted pursuant to EC 35291 and 35291.5
- 13. Hate crime reporting procedures pursuant to Chapter 1.2 of Title 15 of the Penal Code

Education Code

Education Code

Article 5. School Safety Plans

EC 32280

It is the intent of the Legislature that all California public schools, in kindergarten, and grades 1 to 12, inclusive, operated by school districts, in cooperation with local law enforcement agencies, community leaders, parents, pupils, teachers, administrators, and other persons who may be interested in the prevention of campus crime and violence, develop a comprehensive school safety plan that addresses the safety concerns identified through a systematic planning process. For the purposes of this section, law enforcement agencies include local police departments, county sheriffs' offices, school district police or security departments, probation departments, and district attorneys' offices. For purposes of this section, a "safety plan" means a plan to develop strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on the school campus.

(Amended by Stats. 2003 and renumbered from 35294, Ch. 828, Sec. 12.)

Education Code

Education Code

School Safety Plans

EC 32281

(a) Each school district and county office of education is responsible for the overall development of all comprehensive school safety plans for its schools operating kindergarten or any of grades 1 to 12, inclusive.

(b) (1) Except as provided in subdivision (d) with regard to a small school district, the school site council established pursuant to Section 52012 or 52852 shall write and develop a comprehensive school safety plan relevant to the needs and resources of that particular school.

(2) The school site council may delegate this responsibility to a school safety planning committee made up of the following members:

(A) The principal or the principal's designee.

(B) One teacher who is a representative of the recognized certificated employee organization.

(C) One parent whose child attends the school.

(D) One classified employee who is a representative of the recognized classified employee organization.

(E) Other members, if desired.

(3) The school site council shall consult with a representative from a law enforcement agency in the writing and development of the comprehensive school safety plan.

(4) In the absence of a school site council, the members specified in paragraph (2) shall serve as the school safety planning committee.

(c) Nothing in this article shall limit or take away the authority of school boards as guaranteed under this code.

(d) (1) Subdivision (b) shall not apply to a small school district, as defined in paragraph (2), if the small school district develops a districtwide comprehensive school safety plan that is applicable to each school site.

(2) As used in this article, "small school district" means a school district that has fewer than 2,501 units of average daily attendance at the beginning of each fiscal year.

(e) (1) When a principal or his or her designee verifies through local law enforcement officials that a report has been filed of the occurrence of a violent crime on the school site of an elementary or secondary school at which he or she is the principal, the principal or the principal's designee may send to each pupil's parent or legal guardian and each school employee a written notice of the occurrence and general nature of the crime. If the principal

or his or her designee chooses to send the written notice, the Legislature encourages the notice be sent no later than the end of business on the second regular work day after the verification. If, at the time of verification, local law enforcement officials determine that notification of the violent crime would hinder an ongoing investigation, the notification authorized by this subdivision shall be made within a reasonable period of time, to be determined by the local law enforcement agency and the school district. For purposes of this section, an act that is considered a "violent crime" shall meet the definition of Section 67381 and be an act for which a pupil could or would be expelled pursuant to Section 48915.

(2) Nothing in this subdivision shall create any liability in a school district or its employees for complying with paragraph (1).

(Amended by Stats. 2003 and renumbered from 35294.1, Ch. 828, Sec. 13.)

Reference:

Education Code 48915

Education Code 52012 (Repealed)

Education Code 52852

Education Code 67381

Education Code

Education Code

School Safety Plans

EC 32282

(a) The comprehensive school safety plan shall include, but not be limited to, both of the following:

(1) Assessing the current status of school crime committed on school campuses and at school-related functions.

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(A) Child abuse reporting procedures consistent with Article 2.5 (commencing with Section 11164) of Title 1 of Part 4 of the Penal Code.

(B) Disaster procedures, routine and emergency, including adaptations for pupils with disabilities in accordance with the Americans with Disabilities Act of 1990 (42 U.S.C. SEC. 12101 et seq.). The disaster procedures shall also include, but not be limited to, both of the following:

(i) Establishing an earthquake emergency procedure system in every public school building having an occupant capacity of 50 or more pupils or more than one classroom. A district or county office may work with the Office of Emergency Services and the Seismic Safety Commission to develop and establish the earthquake emergency procedure system. The system shall include, but not be limited to, all of the following:

(I) A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of pupils and staff.

(II) 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 shall be held at least once each school quarter in elementary schools and at least once a semester in secondary schools.

(III) Protective measures to be taken before, during, and following an earthquake.

(IV) A program to ensure that pupils and both the certificated and classified staff are aware of, and properly trained in, the earthquake emergency procedure system.

(ii) Establishing a procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The district or county office shall cooperate with the public agency in furnishing and maintaining the services as the district or county office may deem necessary to meet the needs of the community.

(C) Policies pursuant to subdivision (d) of Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations pursuant to Article 1 (commencing with Section 48900) of Chapter 6 of Part 27.

(D) Procedures to notify teachers of dangerous pupils pursuant to Section 49079.

(E) A discrimination and harassment policy consistent with the prohibition against discrimination contained in Chapter 2 (commencing with Section 200) of Part 1.

(F) The provisions of any schoolwide dress code, pursuant to Section 35183, that prohibits pupils from wearing "gang-related apparel," if the school has adopted that type of a dress code. For those purposes, the comprehensive school safety plan shall define "gang-related apparel." The definition shall be limited to apparel that, if worn or displayed on a school campus, reasonably could be determined to threaten the health and safety of the school environment. Any schoolwide dress code established pursuant to this section and Section 35183 shall be enforced on the school campus and at any school-sponsored activity by the principal of the school or the person designated by the principal. For the purposes of this paragraph, "gang-related apparel" shall not be considered a protected form of speech pursuant to Section 48950.

(G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school.

(H) A safe and orderly environment conducive to learning at the school.

(I) The rules and procedures on school discipline adopted pursuant to Sections 35291 and 35291.5.

(J) Hate crime reporting procedures pursuant to Chapter 1.2 (commencing with Section 628) of Title 15 of Part 1 of the Penal Code.

(b) It is the intent of the Legislature that schools develop comprehensive school safety plans using existing resources, including the materials and services of the partnership, pursuant to this chapter. It is also the intent of the Legislature that schools use the handbook developed and distributed by the School/Law Enforcement Partnership Program entitled "Safe Schools: A Planning Guide for Action" in conjunction with developing their plan for school safety.

(c) Grants to assist schools in implementing their comprehensive school safety plan shall be made available through the partnership as authorized by Section 32285.

(d) Each school site council or school safety planning committee in developing and updating a comprehensive school safety plan shall, where practical, consult, cooperate, and coordinate with other school site councils or school safety planning committees.

(e) 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 school safety plan is properly implemented. An updated file of all safety-related plans and materials shall be readily available for inspection by the public.

(f) The comprehensive school safety plan, as written and updated by the schoolsite council or school safety planning committee, shall be submitted for approval under subdivision (a) of

Section 32288.

(Amended by Stats. 2004, Ch. 895, Sec. 1.)

Reference:

42 USC 12101 et seq
Education Code 200
Education Code 32285
Education Code 32288
Education Code 35183
Education Code 35291
Education Code 35291.5
Education Code 48900
Education Code 48915
Education Code 48950
Education Code 49079
Penal Code 628
Penal Code 11164

Education Code

Education Code

School Safety Plans

EC 32286

(a) Each school shall adopt its comprehensive school safety plan by March 1, 2000, and shall review and update its plan by March 1, every year thereafter. A new school campus that begins offering classes to pupils after March 1, 2001, shall adopt a comprehensive school safety plan within one year of initiating operation, and shall review and update its plan by March 1, every year thereafter.

(b) Commencing in July 2000, and every July thereafter, each school shall report on the status of its school safety plan, including a description of its key elements in the annual school accountability report card prepared pursuant to Sections 33126 and 35256.

(Amended by Stats. 2003 and renumbered from 35294.6, Ch. 828, Sec. 17.)

Reference:

Education Code 33126

Education Code 35256

1. SUMMARY OF CHANGES

Updates and Revisions

Section 1	Summary of Changes
Section 2	Assurances (Signature) page
Section 3	LCUSD School Crime Report
Section 4	Child Abuse Report Form
Section 5	Section 5 cover page revision, Updated Disaster Preparedness Plan, Family Communication Flow Chart 2020-2021, Staff Communication Flow Chart 2020-2021
Section 6	Section 6 cover page revision, AR 5144.2, Suspension Data
Section 7	Section 7 cover page revision
Section 8	BP 5145.7
Section 9	Section 9 cover page revision, AR 5132, Dress Standard Policy
Section 10	Section 10 cover page revision, Safety Measures at School
Section 11	Section 11 cover page revision
Section 12	Updated BP 5131, AR 5131.2, BP 5131.2, AR 5144, Updated anti-bullying policy / Student Conduct and Responsibility policies, Ed. Code 35291.5
Section 13	Updated BP 5145.9

2. Assurances

The undersigned assure that the School Safety Plan includes the following elements:

- An assessment of the current status of school or school-related crimes
- Child abuse reporting procedures
- Disaster procedures, routine and emergency
- Policies related to suspension, expulsion or mandatory expulsion and other school designated serious acts which would lead to suspension or expulsion
- Procedures regarding teacher notification of dangerous students pursuant to EC 49079
- Sexual harassment policy pursuant to EC 212.6 (b)
- Provisions of any schoolwide dress code, established pursuant to EC 35183
- Procedures for safe ingress and egress to and from school
- A safe and orderly environment conducive to learning
- Rules and procedures on school discipline adopted pursuant to EC 35291 and 35291.5
- Hate crime reporting procedures pursuant to chapter 1.2 of Title 15 of the Penal Code

In addition, Paradise Canyon School has met the following requirements of SB 187

- The plan was written and developed by the LCAP committee pursuant to EC 52012 or 52852
- The LCAP committee consulted with a representative from a law enforcement agency regarding the writing and development of the plan
- A public hearing was held by the LCAP committee on _____.
- Public input was solicited through the LCAP committee which meets 3 times a year.

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Edita Khanlarian 1/28/2021
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 Edita Khanlarian, LCAP Rep Date

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Carrie Hetzel 1/28/2021
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 Carrie Hetzel, Principal Date

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 Holly Breckheimer, PTA President Date

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 Sara Gardner, Team Leader Date

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Jen Kiebler 2/3/2021
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 Parent Representative Date

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Jw Prigoff 2/3/2021
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 Parent Representative Date

 Parent Representative Date

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Scott Shinagawa 2/3/2021
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 Deputy Sheriff Date

 Date

3. ASSESSMENT OF CURRENT STATUS OF SCHOOL CRIME

If a crime has been committed on the school campus or at school-related functions, the Sheriff is called to come and take a report. The LCUSD Maintenance Office is notified and a copy of the Sheriff's report is sent to them.

Following in this component is:

School Crime Report Form

Vandalism, Theft, and Graffiti

The Governing Board considers vandalism a very serious matter. Vandalism includes the negligent, willful, or unlawful damaging or theft of any district-owned real or personal property, including the writing of graffiti.

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

Any district student who commits an act of vandalism shall be subject to disciplinary action by the district and also may be prosecuted through other legal means. If reparation of damages is not made, the district also may withhold the student's grades, diploma and/or transcripts in accordance with law.

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

(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; transfer of pupils to new school districts; notice to rescind decision to withhold

CIVIL CODE

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

GOVERNMENT CODE

53069.5 Reward for information concerning person causing death, injury, or property damage; liability for reward

PENAL CODE

594 Vandalism

640.5 Graffiti; facilities or vehicles of governmental entity

640.6 Graffiti

CODE OF REGULATIONS, TITLE 5

305 Pupil responsible for care of property

Policy LA CANADA UNIFIED SCHOOL DISTRICT

adopted: May 13, 2003 La Canada Flintridge, California

CURRENT STATUS OF SCHOOL CRIME

There were 0 reports of school-related crime in 2020.

4. CHILD ABUSE REPORTING PROCEDURES

Child abuse reporting procedures are made pursuant to PC 11164 et. Seq. All employees sign a district form indicating their awareness and responsibilities to report any suspected child abuse observations and notifying appropriate authorities. Employees who suspect child abuse are provided with the “Child Abuse Hotline” telephone number (1-800-540-4000) to report the suspected abuse immediately. They then must follow up with the written Child Abuse Reporting Form within 36 hours. Blank forms are available in the school office. Copies of completed forms are kept confidentially in the principal’s office.

Following in this component are:

- Board Policy BP 5141.4
- Administrative Regulation AR 5141.4
- Exhibit E 5141.4
- Child Abuse Reporting Form

- La Canada USD | 5000 | AR 5141.4 Students

Child Abuse Reporting Procedures

Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

Definitions

"Child Abuse" includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Sexual abuse of a child.
3. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody.
4. Unlawful corporal punishment or injury resulting in a traumatic condition.
5. Neglect of a child or abuse in out-of-home care.

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)
3. 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 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)
4. An amount of force that is reasonable and necessary for a school employee to quell a 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 the students (Education Code 49001)
5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by the student (Education Code 49001)

"Mandated Reporters" are those people defined by law as "child care custodians," "health practitioners," "child visitation monitors" and "employees of a child protective agency." Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of a child care institutions, headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

"Child Protective Agencies" are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

"Reasonable Suspicion" means that it is objectively reasonable for a person to entertain such 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. (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 victim of child abuse or neglect. (Penal Code 11166)

Any mandated reporter who has knowledge of or who reasonably suspects that mental suffering has been inflicted upon a child, or that the child's emotional well-being is endangered in any other way, may report the known or suspected instance of child abuse or neglect to the appropriate agency designated below. (Penal Code 11166.05)

Instances that indicate that the emotional well-being of a child might be endangered include, but are not limited to, evidence that the child is suffering from emotional damage, such as severe anxiety, depression, withdrawal, or untoward aggressive behavior towards self or others.

Any person shall notify a peace officer if he/she 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, where the victim is a child under age 14. (Penal Code 152.3, 288)

Reporting Procedures

To report known or suspected child abuse, any employee (as defined above) shall report by telephone to the local child protective agency.

Department of Children & Family Services

3075 Wilshire Blvd., 5th Floor

Los Angeles, California 90010

(800) 540-4000

The telephone report must be made immediately, or as soon as practically possible, upon suspicion. This report will include:

1. The name of the person making the report.
2. The name of the child.
3. The present location of the child.
4. The nature and extent of any injury.
5. Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

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

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

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)

Information relevant to the incident of child abuse or neglect may also be given to an investigator from an agency that is investigating the case. (Penal Code 11167)

Mandated reporters may obtain copies of the above form either from the district or the local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing these forms.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the district without his/her signature or name.

Reporting the information to an employer, supervisor, school 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)

Legal Responsibility and Liability

1. Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

2. If a mandated reporter fails to report an instance of child abuse which he/she knows to exist or reasonably should know to exist, he/she is guilty of a misdemeanor punishable by a fine and/or imprisonment. The mandated reporter may also be held civilly liable for damages resulting from any injury to the child after a failure to report.

3. When two or more persons who are required to report have joint knowledge of a suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person. However, if any person knows or should know that the designated person failed to make the report, that person then has a duty to do so.

4. The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

Victim Interviews

Upon request, a child protective agency representative may interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (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, before the interview takes place, of the following legal requirements:

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 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 or Child Protective Services Agent

When a child is released to a peace officer or child protective services agent and taken into custody as a victim of suspected child abuse, the Superintendent or designee and/or principal shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the peace officer or agent with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

Peace officers and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reporters are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to the proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Upon request, the Superintendent or designee shall provide parents/guardians with procedures whereby they can report suspected child abuse occurring at a school site to appropriate agencies. Such procedures shall be in the primary language of the parent/guardian and , when communicating orally regarding those procedures, an interpreter shall be provided for parents/guardians whose primary language is other than English. (Education Code 48987)

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 to any district employee, that employee shall notify the parent/guardian of procedures for filing a complain with the appropriate agency and also is obligated pursuant to Penal Code 11166 to file a report himself/herself using the procedures described above for mandated reporters.

(cf. 1312.3 - Uniform Complaint Procedures)

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(a) (viii) (C).

Pending the outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)

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

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

Notifications

The Superintendent or designee shall give persons hired by the district a statement informing them that they are mandated by law to report suspected child abuse and neglect, inform them of their reporting obligations under Penal Code 11166, and provide a copy of Penal Code 11165.7 and 11166. Before beginning employment, employees shall sign the statement indicating that they have knowledge of the reporting obligations under Penal Code 11166 and that they will comply with those provisions. The signed statements 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 shall also 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. 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 report an incident of known or reasonably suspected child abuse or neglect, he/she is guilty of a misdemeanor 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. (Penal Code 11166)

Administrative LA CANADA UNIFIED SCHOOL DISTRICT

approval: May 13, 2003 La Canada Flintridge, California

Child Abuse Reporting Procedures

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 5141.41 - Child Abuse Prevention Program)

The Superintendent or designee shall establish procedures and regulations for use by employees in identifying and reporting child abuse.

Employees who are mandated reporters, as defined by law and district administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect. Mandated reporters shall not investigate any suspected incidents but rather shall cooperate with agencies responsible for reporting, investigating and prosecuting cases of child abuse and neglect.

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

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated personnel.

The Superintendent or designee shall also provide training in the duties of child abuse identification and reporting to instructional and teacher aides, teacher assistants and other classified employees. (Penal Code 11165.7)

As part of their training in child abuse identification and reporting, employees shall receive written notice of state child abuse reporting requirements and employees' confidentiality rights. (Penal Code 11165.7)

Parents/guardians may contact the Superintendent or designee to obtain procedures for filing a complaint against a district employee or other person whom they suspect has engaged in abuse of a child at a school site.

Legal Reference:

EDUCATION CODE

33308.1 Guidelines on procedure for filing child abuse complaints

44690-44691 Staff development in the detection of child abuse and neglect

48906 Notification when student released to peace officer

48987 Dissemination of reporting guidelines to parents

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

Management Resources:

CDE LEGAL ADVISORIES

0514.93 Guidelines for parents to report suspected child abuse by school district employees or other persons against a pupil at school site

WEB SITES

CDE: <http://www.cde.ca.gov>

School/Law Enforcement Partnership:

<http://www.cde.ca.gov/spbranch/safety/partnership.html>"><http://www.cde.ca.gov>"><http://www.cde.ca.gov/spbranch/safety/partnership.html>

California Attorney General: <http://caag.state.ca.us>

California Department of Social Services: <http://www.dss.cahwnet.gov>

Governor's Office of Criminal Justice Planning: <http://www.ocjp.ca.gov>

Policy LA CANADA UNIFIED SCHOOL DISTRICT

adopted: May 13, 2003 La Canada Flintridge, California

E 5141.4 Students

Child Abuse Reporting Requirements

Section 11166 of the Penal Code requires any child care custodian, health practitioner, fire fighter, animal control officer, or humane society officer, employee of a child protective agency or child visitation monitor who has knowledge of or observes a child in his/her professional capacity or within the scope of his/her employment whom he/she knows or reasonably suspects has been the victim of child abuse to report the known or suspected instance of child abuse to a child protective agency immediately or as soon as practically possible by telephone and to prepare and send a written report thereof within 36 hours of receiving the information concerning the incident.

"Child care custodian" includes teachers; an instructional aide, a teacher's aide, or a teacher's assistant employed by any public or private school, who has been trained in the duties imposed by this article, if the school district has so warranted to the State Department of Education; a classified employee of any public school who has been trained in the duties imposed by this article, if the school has so warranted to the State Department of Education; administrative officers, supervisors of child welfare and attendance, or certificated pupil personnel employees of any public or private school; administrators of a public or private day camp; administrators and employees of public or private youth centers, youth recreation programs and youth organizations; administrators and employees of public or private organizations whose duties require direct contact and supervision of children and who have been trained in the duties imposed by this article; licensees, administrators and employees of licensed community care or child day care facilities; headstart teachers; licensing workers or licensing evaluators; public assistance workers; employees of a child care institution including, but not limited to, foster parents, group home personnel, and personnel of residential care facilities; social workers, probation officers or parole officers; employees of a school district police or security department; any person who is an administrator or a presenter of, or a counselor in, a child abuse prevention program in any public or private school; a district attorney investigator, inspector, or family support officer unless the investigator, inspector or officer is working with an attorney appointed pursuant to Section 317 of the Welfare and Institutions Code to represent a minor; or a peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of this code, who is not otherwise described in this section.

"Health practitioner" includes physicians and surgeons, psychiatrists, psychologists, dentists, residents, interns, podiatrists, chiropractors, licensed nurses, dental hygienists, optometrists, or any other person who is licensed under Division 2 (commencing with Section 500) of the Business and Professions Code; marriage, family and child counselors; emergency medical technicians I or II, paramedics, or other persons certificated pursuant to Division 2.5 (commencing with Section 1797) of the Health and Safety Code; psychological assistants registered pursuant to Section 2913 of the Business and Professions Code; marriage, family and child counselor trainees as defined in subdivision (c) of Section 4980.03 of the Business and Professions Code; unlicensed marriage, family and child counselor interns registered under Section 4980.44 of the Business and Professions Code; state or county public health employees who treat minors for venereal disease or any other condition; coroners; paramedics; and religious practitioners who diagnose, examine, or treat children.

"Child visitation monitor" means any person as defined in Section 11165.15.

I have been informed of the above law and will comply with its provisions.

(Type employee's name below line, requiring signature above)

This statement is a permanent record of the district. The cost of printing, distribution, and filing of these statements is borne by the district.

This subdivision is not applicable to persons employed by child protective agencies, public or private youth centers, youth recreation programs and youth organizations as members of the support staff or maintenance staff and who do not work with, observe, or have knowledge of children as part of their official duties.

LA CANADA UNIFIED SCHOOL DISTRICT

La Canada Flintridge, California

SUSPECTED CHILD ABUSE REPORT

To Be Completed by **Mandated Child Abuse Reporters**
Pursuant to Penal Code Section 11166

CASE NAME: _____

PLEASE PRINT OR TYPE

CASE NUMBER: _____

A. REPORTING PARTY	NAME OF MANDATED REPORTER		TITLE		MANDATED REPORTER CATEGORY					
	REPORTER'S BUSINESS/AGENCY NAME AND ADDRESS			Street	City	Zip	DID MANDATED REPORTER WITNESS THE INCIDENT? <input type="checkbox"/> YES <input type="checkbox"/> NO			
	REPORTER'S TELEPHONE (DAYTIME) ()		SIGNATURE		TODAY'S DATE					
B. REPORT NOTIFICATION	<input type="checkbox"/> LAW ENFORCEMENT <input type="checkbox"/> COUNTY PROBATION		AGENCY							
	<input type="checkbox"/> COUNTY WELFARE / CPS (Child Protective Services)									
	ADDRESS			Street	City	Zip	DATE/TIME OF PHONE CALL			
C. VICTIM One report per victim	NAME (LAST, FIRST, MIDDLE)				BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY			
	ADDRESS			Street	City	Zip	TELEPHONE ()			
	PRESENT LOCATION OF VICTIM			SCHOOL		CLASS	GRADE			
	PHYSICALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO	DEVELOPMENTALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER DISABILITY (SPECIFY)			PRIMARY LANGUAGE SPOKEN IN HOME				
	IN FOSTER CARE? <input type="checkbox"/> YES <input type="checkbox"/> NO	IF VICTIM WAS IN OUT-OF-HOME CARE AT TIME OF INCIDENT, CHECK TYPE OF CARE: <input type="checkbox"/> DAY CARE <input type="checkbox"/> CHILD CARE CENTER <input type="checkbox"/> FOSTER FAMILY HOME <input type="checkbox"/> FAMILY FRIEND <input type="checkbox"/> GROUP HOME OR INSTITUTION <input type="checkbox"/> RELATIVE'S HOME				TYPE OF ABUSE (CHECK ONE OR MORE) <input type="checkbox"/> PHYSICAL <input type="checkbox"/> MENTAL <input type="checkbox"/> SEXUAL <input type="checkbox"/> NEGLECT <input type="checkbox"/> OTHER (SPECIFY)				
	RELATIONSHIP TO SUSPECT				PHOTOS TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO		DID THE INCIDENT RESULT IN THIS VICTIM'S DEATH? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK			
D. INVOLVED PARTIES	VICTIM'S SIBLINGS									
	NAME		BIRTHDATE	SEX	ETHNICITY	NAME		BIRTHDATE	SEX	ETHNICITY
	1. _____				3. _____					
	2. _____				4. _____					
VICTIM'S PARENTS/GUARDIANS	NAME (LAST, FIRST, MIDDLE)				BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY			
	ADDRESS			Street	City	Zip	HOME PHONE ()	BUSINESS PHONE ()		
	NAME (LAST, FIRST, MIDDLE)				BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY			
	ADDRESS			Street	City	Zip	HOME PHONE ()	BUSINESS PHONE ()		
SUSPECT	SUSPECT'S NAME (LAST, FIRST, MIDDLE)				BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY			
	ADDRESS			Street	City	Zip	TELEPHONE ()			
	OTHER RELEVANT INFORMATION									
E. INCIDENT INFORMATION	IF NECESSARY, ATTACH EXTRA SHEET(S) OR OTHER FORM(S) AND CHECK THIS BOX <input type="checkbox"/> IF MULTIPLE VICTIMS, INDICATE NUMBER: _____									
	DATE / TIME OF INCIDENT				PLACE OF INCIDENT					
	NARRATIVE DESCRIPTION (What victim(s) said/what the mandated reporter observed/what person accompanying the victim(s) said/similar or past incidents involving the victim(s) or suspect)									

DEFINITIONS AND INSTRUCTIONS ON REVERSE

DO NOT submit a copy of this form to the Department of Justice (DOJ). The investigating agency is required under Penal Code Section 11169 to submit to DOJ a Child Abuse Investigation Report Form SS 8583 if (1) an active investigation was conducted and (2) the incident was determined not to be unfounded.

WHITE COPY-Police or Sheriff's Department; BLUE COPY-County Welfare or Probation Department; GREEN COPY-District Attorney's Office; YELLOW COPY-Reporting Party

5. DISASTER PROCEDURE, ROUTINE AND EMERGENCY

The District Disaster Preparedness Plan provides directions for procedures for all schools in La Canada. Parents are informed of the disaster procedures via a letter sent to them on the first day of school and the "LCUSD Elementary Schools Parent and Student Handbook." Also included in this section in the Site Disaster Response Plan, with specific assignment of personnel to duties in the event of an emergency. A detailed description of the responsibilities of each team is a part of the Paradise Canyon plan. Parents are informed of the procedures via a letter sent to them on the first day of school.

All school personnel receive a handbook that includes evacuation and assembly maps, as well as a map indicating (1) the main electrical panel, (2) the water main shut off, and (3) the main gas valve. Classroom teachers also complete a survey each year indicating measures that need to be taken to ensure student/staff safety in their individual classrooms in the event of an earthquake (mitigation check list).

Our PTA Disaster Preparedness Team maintains a disaster trailer supplied with adequate food and water for the school for three days. The trailer also contains shelter, first aid supplies, student accountability information, search and rescue equipment, and communications equipment. The content of the trailer is reviewed each year and replenished or replaced as necessary.

The PTA Team provides each classroom with a bucket of supplies necessary to sustain students and staff in the room until search and rescue can arrive. Each teacher is also provided with a backpack to take when evacuating the classroom. The backpack contains student accountability information, a small provision of first aid supplies, work gloves, a radio and batteries, and the teacher's personal provisions (i.e., tennis shoes).

The entire school practices evacuation and assembly on the field monthly. The school drills for an earthquake (duck, cover, evacuate and assemble) twice a year. One of those drills is a full-scale simulation of all earthquake response team tasks, including parent reunification.

The district's "Aeries Communication" phone/email/text service allows school personnel to contact all parents/guardians immediately in case of emergency.

Following in this component are:

- LCUSD Disaster Preparedness Plan
- PCY School Disaster Plan

LA CAÑADA UNIFIED SCHOOL DISTRICT

DISASTER PREPAREDNESS PLAN

The objective of the La Cañada Unified School District Disaster Preparedness Plan is to provide maximum care and safety for students and staff and to protect building and equipment in the event of a disaster. All staff members are expected to be thoroughly familiar with all phases of the disaster preparedness plan and to explain the procedures to all of their students.

GENERAL GUIDELINES FOR ALL EMERGENCIES AND DRILLS

Any staff member who is away from his/her position will immediately proceed to the Emergency Assembly Area [EAA]. In the event of an emergency, students should be evacuated to the Emergency Assembly Area [EAA] in an orderly manner with no talking and no running, lining up on the field in your assigned position. Upon hearing the alarm to evacuate, the teacher will have the students line up inside the classroom and then evacuate (unless active fire is seen) the teacher or assigned staff member will ask students to quietly wait outside of the classroom, while the teacher secures the room and ascertains the extent of injuries. The teacher or assigned staff member shall lead the class to the EAA. Upon evacuation of the classroom, **close the door leaving it unlocked**. If the room is cleared of all students, affix the green card (green side facing out or up) to the outside of the classroom door. If the room is NOT cleared, affix the red card (red side facing out or up) to the outside of the classroom door.

Upon evacuation, teachers should take their emergency backpack that includes updated attendance sheets and basic first aid equipment. At the EAA, roll should be taken using the Emergency Disaster Attendance Form. More Emergency Disaster Attendance Forms can be obtained from the Emergency Operations Center (EOC). Complete the Emergency Disaster Attendance Forms, identifying students as present, previously marked absent, or missing. These will be collected from you by a safety team member unless otherwise directed.

Teachers should make sure that students with physical disabilities are assisted. Teachers should discuss with their students that any student in the bathrooms or otherwise out of the classroom should join the nearest class group exiting the building; proceed to the EAA, then with permission of those in charge, join their own class or group by reporting to the classroom's assigned position on the EAA. If an evacuation occurs before school, at break, at lunch, or during a passing period, **students must proceed to the EAA and line-up with their class**.

Each class must remain in its assigned location with the teachers supervising and reassuring the students throughout the duration of the emergency. If the Emergency Operation Center (EOC) determines it to be safe to re-enter the buildings a specific ALL CLEAR signal will be sounded. Students and teachers shall return following the same rules as for leaving the building (no talking, running, etc.). If the emergency lasts past the regular school hours or buildings are not safe to return to, the EOC may direct that students will be released to parents, guardians, or other persons specified in the Emergency card.

During a disaster all employees are to remain at school until released by the principal/designee. During the hours of the work day, any staff member that is not at a school site during an emergency should make every effort to return to their site and report in at the EOC. If any staff member is at another school site they

should evacuate as outlined and report to that site's EOC. The EOC should then attempt to notify the staff member's site of their whereabouts. Such staff members may then be assigned a task or be ordered to return to their site whichever is mutually agreed upon by the sites. District Office staff will report to assigned schools and Maintenance staff will report to the nearest school for assignments.

DISASTER DURING SCHOOL HOURS

EVACUATION SIGNAL

The pattern of bells for an evacuation is the Fire Alarm bell cadence, which is 3 short rings followed by a pause, repeatedly until the alarm is silenced.

FIRE

Upon hearing the evacuation signal, teachers are to evacuate their class to the EAA according to the evacuation route for their classroom. Be prepared to take an alternate route if blocked.

POWER FAILURE

During a power failure teachers are to remain in their classrooms with their students. Flashlights will be stored for each classroom in the classroom's emergency backpack, which will be accessible to the teachers and in a location where it can be located in the dark and by substitute teachers. Teachers are not to move their class without clearing with the principal first.

EARTHQUAKE

Upon feeling a tremor, or hearing an earthquake drill announcement via intercom or bells, the following steps will be taken:

1. Drop, Cover, and Hold; Students in the classroom or other rooms shall take cover under desks or tables holding on to furniture with one hand and covering their head and neck with the other. Students should stay away from windows and outside doors. Students on the school grounds should move away from the buildings and electrical wiring, gas and water mains and drop and cover with their hands over their head. Students in the halls should drop and cover near an inner wall with their hands over their head.
2. When the initial shock has subsided, the evacuation signal will be given, if operable. Students will be evacuated to the EAA and follow previously outlined procedures for roll, etc. If there is no signal, it is assumed that the individual teacher will use his/her own judgment to vacate the room in a safe manner remembering to take the emergency backpack with him/her.

TERRORIST/GUNMAN

Upon hearing gunshots, students and staff should stay inside the classroom/building, lock doors and wait until an administrator verbally gives the all clear signal. If outside, students and staff should drop to the ground and stay still. When safe, get to the nearest cover preferably inside a building.

TOXIC SPILL

In the event of a toxic spill, students and staff should stay in their classroom until notified to move. If outside, students and staff should report to the closest classroom and quietly remain in that class until notified to move. In the event of the release of airborne toxins, staff should go indoors, turn off all air exchange units, close windows and doors, and use cloth or other available material, to block any cracks around windows or doors.

DISASTER OUTSIDE OF SCHOOL HOURS

Parents and staff will be contacted via *Aeries Communication*. For additional information, access the following resources: electronic updates via web: (LCUSD (<http://www.lcusd.net>), individual school site websites, and KFI 640 AM, KNX 1070 AM, KABC 790 AM. All schools will be considered OPEN unless it is specifically announced that they are closed. All staff is required to report to work as normal unless officially notified via phone tree and remain until released by the EOC.

Students walking to and from school should proceed to school or return to school and assemble at the EAA and line-up in their class.

Site Safety Drill Schedule

There will be a site safety drill on the first Wednesday of every month.

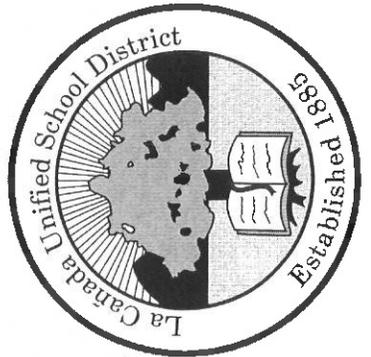
Family Communication Flow Chart 2020/21

Emergency

**Aeries
Communication**
Email

**Aeries
Communication**
SMS (Text Message)

**Aeries
Communication**
Phone Message



Non-Emergency

**School
Operations**

District Website
Enrollment
Master Calendar
LCUSD Board News
LCUSD Departments

School Website
Bell Schedule
School Calendar
Lunch Payments
Teacher Websites
CEC Information

PTA Website
Enrichment Classes
Events
One Check Order Form

**Classroom Info.
and Updates**

Teacher Website

Contact Teacher:
Email
Phone

**Materials Drop Off
and Pick Up**

Peachjar
Digital Flyers
District
School
PTA
Community Partners

Good News



Twitter
Instagram

School Updates

**Aeries
Communication**
Principal News
Reminders
Updates as Needed

PTA Newsletter
Get Involved
School/Community Events
Weekly News

Staff Communication Flow Chart 2020/21

Emergency

Aeries Communication
Email, Text, Phone

Catapult School Emergency Notification

Non-Emergency

School Operations

Staff Handbook
Board Policies
Schedules
Forms

School and District Website and Calendar

Meetings
LCAP/School Site Council
Grade Level Rep

Good News



School News: Private

Weekly Bulletin

Email and Master Calendar

Whiteboard in Lounge

Phone Tree

School News: Public

Aeries Communication
Principal News
Reminders
Updates as Needed

PTA Newsletter
Get Involved
School/Community Events
Weekly News

Peachjar
Digital Flyers
District School
PTA
Community Partners



EMERGENCY/DISASTER PREPAREDNESS

An emergency situation on campus can be an anxiety-provoking event. In order to be prepared, each month all schools participate in school-wide drills to ensure that our staff and students are trained to follow the District and School Site emergency procedures when on campus.

If an earthquake or other serious disaster occurs during school hours while students are on campus, children will evacuate the building after it has been deemed safe to do so. For their safety and protection, we will detain children until they are picked up by their parents or by one of the alternates who is authorized on the emergency/disaster cards. Please do not ask anyone else to pick up your child(ren) unless we have written confirmation authorizing that individual to take custody of your child(ren). Adults must have a picture ID to pick up a student during a disaster. The school will send a message to all parents to clarify the situation in a specific disaster.

In partnership with the PTA, food, water, and emergency supplies are stored on campus and are sufficient to provide for the safety and welfare of our children for several days if necessary.

In the event of a disaster, experts say that parents often panic and rush to the school to pick up children. Please remember that often children are physically safer in a controlled school environment than they may be in other, more isolated situations. We have devised a plan for the orderly release of children so that we can account for each and every child. It is imperative that we have accurate emergency information on each child and that people designated as "emergency contacts" know what they are to do in the event of an emergency.

We ask that you do the following:

- At the beginning of each school year, provide us with your emergency contact information for each child. You will be able to update this information online, and we ask that you return a printed and signed emergency contact form to your child's teacher as proof that you have completed this very important task.
- Provide an updated and accurate list of emergency contacts. Keep the list updated throughout the school year as changes occur.

In the meantime, we suggest that each family design its own disaster preparedness plan. ***Radio stations KFI (640 am) and KNX (1070 am) broadcast school closure information. In the event of an emergency outside operating school hours, please refer to the radio for school closure information as well.***

Administration will contact all parents in the event of a disaster through our Aeries Communication portal. We will give you directions on where to pick up your child. In most cases, you will pick up your child at their elementary school. However, in the case of a nearby fire, we may evacuate to a safer place.

School alarms and/or bells trigger the classroom's response to different disaster situations. Students and staff are trained to listen for an alarm to indicate a fire. If students are in the classroom, their teacher guides them to a predetermined location on the field. If a fire were to occur while students are at recess or other non-classroom activities, they are directed to reunite with their class.

In the event of an earthquake, students and staff are trained to take a "Duck and Cover" position and are then escorted to the field. All classes will remain on the field under the supervision of a teacher until released to an authorized adult.

Protect Yourself During Earthquakes!

**IF
POSSIBLE**



**USING
CANE**



**USING
WALKER**



**USING
WHEELCHAIR**



EarthquakeCountry.org/step5

6. POLICIES RELATED TO SUSPENSION, EXPULSION OR MANDATORY EXPULSION AND OTHER SCHOOL DESIGNATED SERIOUS ACTS WHICH WOULD LEAD TO SUSPENSION OR EXPULSION.

Attached are the La Canada School District policies and procedures for suspension and expulsion. The criteria for suspension and expulsions are also summarized for parents in our school's "LCUSD Elementary Schools Parent and Student Handbook." This publication is also given to all school staff for reference.

Following in this component are:

- AR 5144 Discipline
- AR 5144.2 Discipline
- BP 5144 Discipline
- AR 5144.1 Suspension and Expulsion Due Process
- BP 5144.1 Suspension and Expulsion Due Process
- Ed. Code 48900
- Ed. Code 48915
- K-6 Suspension Data

La Canada USD

Administrative Regulation

Discipline

AR 5144
Students

Site-Level Rules

Rules for student discipline shall be developed at each school site and filed with the district office. These rules shall be adopted jointly by a panel comprised, at a minimum, of the principal or designee and a representative selected by classroom teachers employed at the school. The views of administrators, teachers, security personnel, parents/guardians and secondary school students shall be obtained when the rules are developed. Site-level rules shall be consistent with law, Governing Board policy and district regulations (Education Code 35291.5). Annually, site-level discipline rules shall be reviewed and, if necessary, updated to align with any changes in district discipline policies or goals for school safety and climate as specified in the district's local control and accountability plan. A copy of the rules shall be filed with the Superintendent or designee for inclusion in the comprehensive safety plan.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 0460 - Local Control and Accountability Plan)

School rules shall be communicated to students clearly and in an age-appropriate manner.

It shall be the duty of each employee of the school to enforce the school rules on student discipline. (Education Code 35291)

Disciplinary Strategies

To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Except when a student's presence causes a danger to himself/herself or others or he/she commits a single act of a grave nature or an offense for which suspension or expulsion is required by law, suspension or expulsion shall be used only when other means of correction have failed to bring about proper conduct. Disciplinary strategies may include, but are not limited to:

1. Discussion or conference between school staff and the student and his/her parents/guardians

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6020 - Parent Involvement)

2. Referral of the student to the school counselor or other school support service personnel

for case management and counseling

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

3. Convening of a Student Study Team (SST) or other intervention-related team to assess the behavior and develop and implement an individual plan to address the behavior in partnership with the student and his/her parents/guardians
4. When applicable, referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program or a Section 504 plan

(cf. 6159 - Individualized Education Program)

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

5. Enrollment in a program for teaching prosocial behavior or anger management
6. Participation in a restorative justice program
7. A positive behavior support plan with tiered interventions that occur during the school day on campus
8. Participation in a social and emotional learning program that teaches students the ability to understand and manage emotions, develop caring and concern for others, make responsible decisions, establish positive relationships, and handle challenging situations capably
9. Participation in a program that is sensitive to the traumas experienced by students, focuses on students' behavioral health needs, and addresses those needs in a proactive manner
10. After-school programs that address specific behavioral issues or expose students to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups

(cf. 5148.2 - Before/After School Programs)

11. Recess restriction as provided in the section below entitled "Recess Restriction"
12. Detention after school hours as provided in the section below entitled "Detention After School"
13. Community service as provided in the section below entitled "Community Service"
14. In accordance with Board policy and administrative regulation, restriction or

disqualification from participation in extracurricular activities

(cf. 6145 - Extracurricular/Curricular Activities)

15. Reassignment to an alternative educational environment

(cf. 6158 - Independent Study)

16. Suspension and expulsion in accordance with law, Board policy, and administrative regulation

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

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

When, by law or district policy, other means of correction are required to be implemented before a student could be suspended or expelled, any other means of correction implemented shall be documented and retained in the student's records. (Education Code 48900.5)

(cf. 5125 - Student Records)

Recess Restriction

A teacher may restrict a student's recess time only when he/she believes that this action is the most effective way to bring about improved behavior. When recess restriction may involve the withholding of physical activity from a student, the teacher shall try other disciplinary measures before imposing the restriction. Recess restriction shall be subject to the following conditions:

1. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.
2. The student shall remain under a certificated employee's supervision during the period of restriction.
3. Teachers shall inform the principal of any recess restrictions they impose.

(cf. 5030 - Student Wellness)

(cf. 6142.7 - Physical Education and Activity)

Detention After School

Students may be detained for disciplinary reasons up to one hour after the close of the maximum school day. (5 CCR 353)

If a student will miss his/her after school transportation on account of being detained after school, the teacher, principal or designee shall notify parents/guardians of the detention at least one day in advance so that alternative transportation arrangements may be made. The student

shall not be detained unless the teacher, principal or designee has notified the parent/guardian.

Students shall remain under the supervision of a certificated employee during the period of detention.

Students attending junior or high school may be offered the choice of serving their detention on Saturday rather than after school.

(cf. 6176 - Weekend/Saturday Classes)

Community Service

As part of or instead of disciplinary action, the Board, Superintendent, principal, or principal's designee may, at his/her discretion, require a student to perform community service during non-school hours on school grounds or, with written permission of the student's parent/guardian, off school grounds. Such service may include, but is not limited to, community or school outdoor beautification, campus betterment, and teacher, peer, or youth assistance programs. (Education Code 48900.6)

This community service option is not available for a student who has been suspended, pending expulsion, pursuant to Education Code 48915. However, if the recommended expulsion is not implemented or the expulsion itself is suspended, then the student may be required to perform community service for the resulting suspension. (Education Code 48900.6)

Notice to Parents/Guardians and Students

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians, in writing, about the availability of district rules related to discipline. (Education Code 35291, 48980)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall also provide written notice of disciplinary rules to transfer students at the time of their enrollment in the district.

Administrative LA CANADA UNIFIED SCHOOL DISTRICT

approval: May 13, 2003

revised: September 6, 2016 La Canada Flintridge, California

00354-00002/3302902.1

La Canada USD

AR 5144.2

Suspension and Expulsion / Due Process (Students with Disabilities)

Suspension

A student identified as an individual with disabilities pursuant to the Individuals with Disabilities Education Act is subject to the same grounds for suspension which apply to regular education students. All the procedural safeguards established by district policies and regulations shall be observed in considering the suspension of students with disabilities.

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

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

The Superintendent or designee may suspend a student with disability for up to five consecutive school days for a single incident of misconduct, and for up to 20 school days in a school year. If the student is transferred to another school or alternative educational program, the student may be suspended for up to 30 school days in a school year, but still no more than five days for a single incident of misconduct, unless the student is suspended by the Governing Board pursuant to Education Code 48912. (Education Code 48903, 48911)

If the student poses an immediate threat to the safety of himself/herself or others, the Superintendent or designee may suspend the student for up to, but not more than, 10 consecutive school days. In the case of a dangerous child, a suspension may exceed 10 consecutive school days, and/or the student's placement may be changed. (Education Code 48911)

If a student with disability possesses at school or at a school activity a weapon as defined in the United States Code, Title 18, Section 921, or sells or solicits the sale of a controlled substance while at school or a school activity as identified in 21 USC 812(c), Schedules I-V, he/she shall be immediately suspended and may be placed in an alternative educational setting for not more than 45 calendar days, or until the conclusion of any due process proceedings requested by the parent/guardian. The student's alternative educational setting shall be determined by the student's IEP team. (Education Code 48915; 20 USC 1415)

Behavioral Assessment and Intervention Plan

Not later than 10 business days after a student has been suspended for more than 10 school days or placed in an alternative educational setting, the district shall convene an IEP team meeting to conduct a functional behavior assessment and implement a behavioral intervention plan. If the student already has a behavioral intervention plan, the IEP team shall review the plan and modify it as necessary to address the behavior. (20 USC 1415(k) (1); 34 CFR 300.520)

(cf. Individual Education Program)

(cf. Behavioral Interventions for Special Education Students)

As soon as practicable after developing the behavioral intervention plan and completing the required assessments, the IEP team shall meet to develop appropriate behavioral interventions to address the behavior and shall implement those interventions. (34 CFR 300.520)

Expulsion

Procedures and timelines governing the expulsion of students with disabilities shall be the same as those for all other students, except that a pre-expulsion assessment shall be made and an IEP team or school site committee meeting held under conditions and with possible consequences indicated below.

Pre-Expulsion Assessment and Meeting

1. The parent/guardian shall receive written notice of the district's intent to conduct the pre-expulsion assessment and shall make the student available for the assessment without delay at a site designated by the district. The parent/guardian shall also have the right to an independent assessment as provided in Education Code 56329. (Education Code 48915.5)

2. The pre-expulsion assessment shall be conducted in accordance with the guidelines of the Code of Federal Regulations, Title 34, Section 104.35, which shall include a review of the student's placement at the time of the alleged misconduct and a determination of the relationship, if any, between the student's behavior and his/her disability. (Education Code 48915.5)

3. The IEP team or school site committee shall meet to determine if an expulsion hearing is appropriate. This meeting shall be held at a time and place mutually convenient to the parent/guardian and district within the period, if any, of the student's pre-expulsion suspension. The parent/guardian's participation may be made through actual participation, representation, or a telephone conference call. (Education Code 48915.5)

(cf. 6159 - Individualized Education Program)

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

4. The parent/guardian shall be notified of his/her right to participate in the meeting at least 48 hours before the meeting. This notice shall specify: (Education Code 48915.5)

a. That the meeting may be held without the parent/guardian's participation unless he/she requests a postponement for up to three additional school days, and

b. That the suspension will be continued during the postponement if the student continues to pose an immediate threat to the safety of himself/herself or others.

In order to make a record of its attempts to arrange the meeting at a mutually convenient time and place, the district shall keep documentation such as: (Code of Federal Regulations, Title 34, Part 300.345)

a. Detailed records of telephone calls made or attempted and the results of those calls.

b. Copies of correspondence sent to parents/guardians and any responses received.

c. Detailed records of visits made to the parent/guardian's home or place of employment and the results of those visits.

5. The district shall grant a parent/guardian's request that the meeting be postponed for up to three additional school days and may extend a student's suspension for the period of postponement if he/she continues to pose an immediate threat to the safety of himself/herself or others. However, the suspension shall not be extended beyond 10 consecutive school days unless agreed to by the parent/guardian or by court order.

If the parent/guardian refuses to consent to an extension beyond 10 consecutive school days and chooses not to participate, the meeting may be conducted without the parent/guardian's participation. (Education Code 48915.5)

6. The IEP team or school site committee shall consider the pre-expulsion assessment results and shall also review and consider the student's health records and school discipline records. (Education Code 48915.5)

7. If the IEP team or school site committee determines that the alleged misconduct was caused by, or was a direct manifestation of, the student's disability or that the student was not appropriately placed, the expulsion shall not proceed. (Education Code 48915.5)

8. If the IEP team or school site committee determines that the alleged misconduct was not caused by, or a direct manifestation of, the student's disability, and if it is determined that the student was appropriately placed, the student shall be subject to expulsion in accordance with procedures that apply to all students. (Education Code 48915.5)

9. When expulsion is recommended, the IEP team or school site committee should also recommend a potential rehabilitation plan for the student, if appropriate.

Due Process and Expulsion Hearings

If the parent/guardian disagrees with the decision of the IEP team or school site committee, he/she has a right to a due process hearing conducted pursuant to United States Code, Title 20, Section 1415 or the Code of Federal Regulations, Title 34, Section 104.36.

The expulsion hearing shall not be conducted, and the 30-day expulsion proceedings time limit shall not commence, until after completion of:

1. The pre-expulsion assessment,
2. The IEP team or school site committee meeting, and
3. Due process hearings and appeals, if initiated. (Education Code 48915.5)

The Board may expel a student with disability only if an IEP team or school site committee has determined that 1) the misconduct was not caused by, or a direct manifestation of, the student's identified disability; and 2) the student was appropriately placed at the time the misconduct occurred. (Education Code 48915.5)

If the student's parent/guardian initiates a due process hearing to challenge the interim alternative educational setting or the manifestation determination, the student shall remain in the interim alternative setting pending the decision of the hearing officer of the expiration of the 45-day time period, whichever occurs first, unless the parent/guardian and district agree otherwise (34 CFR 300.526)

If school personnel maintain that it is dangerous for the student to be placed in the current placement (placement prior to removal to the interim alternative education setting), during the pendency of the due process proceedings, the Superintendent or designee may request an expedited due process hearing. (34 CFR 300.526)

Services During Expulsion

During the term of the expulsion, a special education student shall continue to be offered a free and appropriate education. Such services may include independent study, home instruction, or another appropriate alternative program.

(cf. 6158 - Independent Study)

(cf. 6183 - Home and Hospital Instruction)

The Board shall consider the recommendations of the IEP team or school site committee when developing a rehabilitation plan for an expelled student with disability.

Expelled students shall continue to receive services during the term of the expulsion to the extent necessary to provide the student a free and appropriate public education. Any alternative program must provide services to the extent necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the student's IEP. (20 USC 1412(a)(1)(A); 34 CFR 300.121, 300.520)

Readmission

Readmission procedures for students with disabilities shall parallel those used for all students. The Superintendent or designee may consider the input of the student's IEP team or school site committee when developing recommendations to the Board regarding a request for readmission. Upon readmission, an IEP team or school site committee meeting shall be convened to determine whether a new IEP or accommodation plan needs to be established.

Suspension of Expulsion

The Board's criteria for suspending the enforcement of an expulsion order shall be applied to students with disabilities just as they are applied to regular general education students. (Education Code 48917)

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 489020)

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

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

Legal Reference:

EDUCATION CODE

35146 Closed sessions (re suspensions)

35291 Rules (of governing board)

48900-48925 Suspension and expulsion

56000 Special education; legislative findings and declarations

56320 Educational needs; requirements

56321 Development or revision of individualized education program

56329 Independent educational assessment

56340-56347 Individual education program teams

56505 State hearing

PENAL CODE

245 Assault with deadly weapon

626.2 Entry upon campus after written notice of suspension or dismissal without permission

626.9 Gun-Free School Zone Act

626.10 Dirks, daggers, knives, razors or stun guns

UNITED STATES CODE, TITLE 18

930 Weapons

1365 Serious bodily injury

UNITED STATES CODE, TITLE 20

1412 State eligibility

1415 Procedural safeguards

UNITED STATES CODE, TITLE 21

812(c) Controlled substances

UNITED STATES CODE, TITLE 29

706 Definitions

794 Rehabilitation Act of 1973, Section 504

CODE OF FEDERAL REGULATIONS, TITLE 34

104.35 Evaluation and placement

104.36 Procedural safeguards

300.1-300.756 Assistance to states for the education of students with disabilities

COURT DECISIONS

Parents of Student W. v. Puyallup School District, (1994 9th Cir.) 31 F.3d 1489

M.P. v. Governing Board of Grossmont Union High School District, (1994) 858 F.Supp. 1044

Honig v. Doe, (1988) 484 U.S. 305

Doe v. Maher, (1986) 793 F.2d 1470

Management Resources:

FEDERAL REGISTER

34 CFR 300.a Appendix A to Part 300 - Questions and Answers

34 CFR 300a1 Attachment 1: Analysis of Comments and Changes

WEB SITES

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

U.S. Department of Education, Office of Special Education and Rehabilitative Services:

<http://www.ed.gov/about/offices/list/osers/index.html>

Administrative LA CANADA UNIFIED SCHOOL DISTRICT

approval: May 13, 2003 La Canada Flintridge, California

La Canada USD

Board Policy

Discipline

BP 5144

Students

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.

The Board believes in rules that are effective in maintaining safety and order on campus and in correcting student misbehavior without unnecessarily excluding students from school or participation in instruction.

The district shall adopt alternative disciplinary measures that provide students with appropriate interventions and supports as a means for preventing and addressing student misbehavior, communicating clear, appropriate and consistent expectations and consequences for student conduct; and ensuring equity and continued improvement in the implementation of district policies and practices. Positive interventions and alternative disciplinary measures shall be preferred 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)

Board policies and regulations shall delineate acceptable student conduct and provide the basis for sound disciplinary practices. The administrative staff at each school shall 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 as described in the comprehensive safety plan, for consistency with Board policy and state law. Pursuant to Education Code 32282 and 35291.5 any adopted site-level discipline rules must be included in the comprehensive safety plan.

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 and consistently, in accordance with the district's nondiscrimination policies.

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.

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.

In order to maintain safe and orderly environments, the Board shall give employees all reasonable support with respect to student discipline. If a disciplinary strategy is ineffective, another strategy shall be employed. As permitted by law, continually disruptive students may be assigned to alternative programs or removed from school.

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

(cf. 5131 - Conduct)

(cf. 5142 - Safety)

(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 Study Teams)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5145.7 - Sexual harassment)

(cf. 4131/4331 - Staff Development)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 5020 - Parent Rights and Responsibilities)

Legal Reference:

EDUCATION CODE

32280-32288 School safety plans

35146 Closed sessions

35291 Rules

35291.5 School-adopted discipline rules

35291.7 School-adopted discipline rules: additional employees

37223 Weekend classes

44807.5 Restriction from recess for disciplinary purposes

48900-48925 Suspension and expulsion

48980-48985 Notification of parents or guardians

49000-49001 Prohibition of corporal punishment
49330-49334 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

CDE PROGRAM ADVISORIES

1023.88 Corporal Punishment, CIL: 88/9-5
1110.89 Physical Exercise as Corporal Punishment, CIL 89/9-3

STATE BOARD OF EDUCATION POLICIES

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

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 LA CANADA UNIFIED SCHOOL DISTRICT

adopted: January 16, 1996

revised: September 6, 2016 La Canada Flintridge, California

00354-00002/3302926.1

La Canada USD

Administrative Regulation

Suspension And Expulsion/Due Process

AR 5144.1

Students

Definitions

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

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

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

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(u))

Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion: Grades K-12

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

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

Pursuant to Penal Code 417.27, students are prohibited from possessing a laser pointer on school premises, except for a valid instructional or other school-related purpose.

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

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

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

(cf. 5131.6 - Alcohol and Other Drugs)

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

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))
7. Stole or attempted to steal school property or private property. (Education Code 48900(g))
8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products. (Education Code 48900(h))
9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))
10. Unlawfully possessed offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))
11. Knowingly received stolen school property or private property. (Education Code 48900(l))
12. Possessed an imitation firearm, i.e., a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(m))
13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness. (Education Code 48900(o))
15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma. (Education Code 48900(p))
16. Engaged in, or attempted to engage in, hazing (Education Code 48900 (q))

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

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

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

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

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

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

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 6163.4 - Student Use of Technology)

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

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

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

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

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

Additional grounds for Suspension and Expulsion: Grades 4-12

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

(Education Code 48900(k))

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

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

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

(cf. 5145.7 - Sexual Harassment)

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

Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender, or sexual orientation. (Education Code 233, Penal Code 422.55)

(cf. 5145.9 Hate-Motivated Behavior)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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

The Superintendent or principal may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's specific misbehavior as specified in Section 48900.5. (Education Code 48900(v))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Truancy)

Suspension from Class by a Teacher

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

A teacher may also refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

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

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

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

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

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)

The Superintendent, principal, or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903)

Due Process Procedures for Suspension

Suspensions shall be initiated according to the following procedures:

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

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

2. **Administrative Actions:** All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)
3. **Notice to Parents/Guardians:** At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the

suspension. (Education Code 48911)

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

In addition, the notice may state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

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

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

5. Extension of Suspension: If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)
 - a. The extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.
 - b. Extension of the suspension may be made only if the Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)
 - c. If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)
 - d. If the student involved is a homeless child or youth, the Superintendent or designee shall notify the district liaison for homeless students. (Education Code 48918.1)

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

Suspension by the Board

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

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester for a violation of #1-18 of the "Grounds for Suspension and Expulsion: Grades K-12." The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

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

(cf. - Closed Session Purposes and Agendas)

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

On-Campus Suspension

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

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

At the time a student is assigned to an on-campus suspension classroom, the principal or

designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification may be made in writing. (Education Code 48911.1)

Superintendent or Principal's Authority to Recommend Expulsion

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for specific enumerated acts listed above under "Grounds for Suspension and Expulsion; Grades K-12" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the act, the presence of the student causes a continuing danger to the physical safety of the student or others

Mandatory Recommendation and Mandatory Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts: (Education Code 48915)

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance, as listed in Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

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

Student's Right to Expulsion Hearing

Any student recommended for expulsion shall be entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" has occurred. (Education Code 48918(a))

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

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

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

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

Stipulated Expulsion

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

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

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

Rights of Complaining Witness

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

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

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

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

Written Notice of the Expulsion Hearing

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

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

(cf. 5119 - Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel

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

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

provide assistance at the hearing.

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

Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students

At least 10 days prior to a hearing to determine if a student who is a foster youth or homeless should be expelled for an offense not requiring a mandatory recommendation for expulsion, the Superintendent or designee shall notify the student's attorney, a representative of an appropriate county child welfare agency, and to the district liaison for homeless students. If the hearing is pursuant to an offense requiring a mandatory expulsion recommendation, the superintendent or designee may provide the same notification. The notice shall be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918)

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

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

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))
3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the

personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20 (formerly 11525). (Education Code 48918(i))

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

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

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

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

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

(cf. 5145.12 - Search and Seizure)

5. Testimony by Complaining Witnesses: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)
 - a. Any complaining witness shall be given five days' notice before being called to testify.
 - b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.

- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
 - d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
 - e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
 - f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
 - g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a non-threatening environment.
 - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
 - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours
 - (c) Permit one of the support persons to accompany the complaining witness to the witness stand
6. Decision Within 40 School Days: The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed.

(Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

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

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing." (Education Code 48918(a) and (d))

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

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

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

Final Action by the Board

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

(cf. 9321.1 - Closed Session Actions and Reports)

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

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

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

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

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

Written Notice to Expel

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in "Grounds for Suspension and Expulsion: Grades K- 12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)

4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision to Suspend Expulsion Order

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

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

The suspension of the expulsion order shall be governed by the following: (Education Code 48917)

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" above or violates any of the district's rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon rein-statement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board of

Education. (Education Code 48917)

7. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of his/her status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j)).

Appeal

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

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

Notification to Law Enforcement Authorities

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

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

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

Post-Expulsion Placements

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

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

(cf. - Community Day School)

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

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

Readmission After Expulsion

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

1. On the date set by the Board when it ordered the expulsion, a written request for readmission shall be submitted by the parent/guardian to the Superintendent or designee. The district shall consider readmission of the student. (Education Code 48916)
2. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
5. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to

campus safety or to other district students or employees. (Education Code 48916)

6. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)
7. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

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

Maintenance of Records

The district shall maintain a record of each suspension and expulsion, including the specific cause(s). Expulsion records shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

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

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion
2. The specific grounds for each recommended expulsion
3. Whether the student was subsequently expelled
4. Whether the expulsion order was suspended
5. The type of referral made after the expulsion

6. The disposition of the student after the end of the expulsion period

Administrative LA CANADA UNIFIED SCHOOL DISTRICT

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La Canada USD

Board Policy

Suspension And Expulsion/Due Process

BP 5144.1

Students

The Governing Board desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion. When these policies and standards are violated, it may be necessary to suspend or expel a student from regular classroom instruction.

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

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

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

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

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

Appropriate Use of Suspension Authority

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

when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

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

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

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

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)

On-Campus Suspension

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

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

Authority to Expel

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

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

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person

4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

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

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

A vote to expel a student shall be taken in a public session.

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

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

Due Process

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

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise.

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who lives with the student. (Education Code 48900.1)

Parental attendance may be requested on the day the student returns to class or within one week thereafter. The principal or designee shall send a notice to the parent or guardian stating that attendance is required. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented for reasons such as serious illness/injury/disability, absence from town, or inability to get certain release time from work.

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment

233 Hate violence

1981-1981.5 Enrollment of students in community school

17292.5 Programs for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35145 Open board meetings

33032.5 Hate violence reduction

35146 Closed sessions (regarding suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

39141.12 Program for expelled students

48645.5 Readmission; contact with juvenile justice system

48660-48666 Community day schools

48853.5 Foster youth

48900-48927 Suspension and expulsion

48950 Speech and other communication

48980 Parental notifications

49073-49079 Privacy of student records

52060-52077 Local control and accountability plan

CIVIL CODE

47 Privileged communication

48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt

54950-54963 Ralph M. Brown Act (re-closed-sessions)

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

LABOR CODE

230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child

PENAL CODE

31 Principal of a crime, defined
240 Assault defined
241.2 Assault fines
242 Battery defined
243.2 Battery on school property
243.4 Sexual battery
245 Assault with deadly weapon
245.6 Hazing
261 Rape defined
266c Unlawful sexual intercourse
286 Sodomy defined
288 Lewd or lascivious acts with child under age 14
288a Oral copulation
289 Penetration of genital or anal openings
417.27 Laser pointers
422.55 Hate crime defined
422.6 Interference with civil rights; damaging property
422.7 Aggravating factors for punishment
422.75 ~~Protected classes~~ Enhanced penalties for hate crimes
626.2 Entry upon campus after written notice of suspension or dismissal without permission
626.9 Gun-Free School Zone Act of 1995
626.10 Dirks, daggers, knives, razors or stun guns
868.5 Supporting person; attendance during testimony of witness

WELFARE AND INSTITUTIONS CODE

729.6 Counseling

UNITED STATES CODE, TITLE 18

921 Definitions, firearm

UNITED STATES CODE, TITLE 20

1415(K) Placement in alternative educational setting
7151 Gun free schools

UNITED STATES CODE, TITLE 42

11432-11435 Education of homeless children and youths

COURT DECISIONS

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

Board of Education of Sacramento City Unified School District v. Sacramento County Board of

Education and Kenneth H. (2001) 85 Cal. App. 4th 1321
John A. v. San Bernardino School District (1982) 33 Cal. 3d 301, 308
Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182
Garcia v. Los Angeles Board of Education (1991) 123 Cal.App.3d 807
Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 146 (2001)
80 Ops.Cal.Atty.Gen. 348 (1997)
80 Ops.Cal.Atty.Gen. 91 (1997)
80 Ops.Cal.Atty.Gen. 85 (1997)

Management Resources:

CSBA PUBLICATIONS

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

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January
2014

WEB SITES

CSBA: <http://www.csba.org>
California Attorney General's Office: <http://www.oag.ca.gov>
California Department of Education: <http://www.cde.ca.gov>
U.S. Department of Education, Office for Civil Rights:
<http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>
U.S. Department of Education, Office of Safe and Drug-Free Schools:
<http://www.ed.gov/about/offices/list/osdfs>

Policy LA CANADA UNIFIED SCHOOL DISTRICT

adopted: May 12, 1998

revised: September 6, 2016 La Canada Flintridge, California

00354-00002/3305745.1

State of California

EDUCATION CODE

Section 48900

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

(a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.

(2) Willfully used force or violence upon the person of another, except in self-defense.

(b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.

(c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

(d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.

(e) Committed or attempted to commit robbery or extortion.

(f) Caused or attempted to cause damage to school property or private property.

(g) Stole or attempted to steal school property or private property.

(h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a pupil of the pupil's own prescription products.

(i) Committed an obscene act or engaged in habitual profanity or vulgarity.

(j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.

(k) (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.

(2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. This paragraph is inoperative on July 1, 2020.

(3) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in kindergarten or any of grades 1 to 5, inclusive, shall not be suspended for any of the acts specified in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.

(4) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in any of grades 6 to 8, inclusive, shall not be suspended for any of the acts specified in paragraph (1). This paragraph is inoperative on July 1, 2025.

(l) Knowingly received stolen school property or private property.

(m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

(n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 287, 288, or 289 of, or former Section 288a of, the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.

(o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

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

(q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.

(r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:

(1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

(A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.

(B) Causing a reasonable pupil to experience a substantially detrimental effect on the pupil's physical or mental health.

(C) Causing a reasonable pupil to experience substantial interference with the pupil's academic performance.

(D) Causing a reasonable pupil to experience substantial interference with the pupil's ability to participate in or benefit from the services, activities, or privileges provided by a school.

(2) (A) "Electronic act" means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

(i) A message, text, sound, video, or image.

(ii) A post on a social network internet website, including, but not limited to:

(I) Posting to or creating a burn page. "Burn page" means an internet website created for the purpose of having one or more of the effects listed in paragraph (1).

(II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

(iii) (I) An act of cyber sexual bullying.

(II) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (A) to (D), inclusive, of paragraph (1). A photograph or other visual recording, as described in this subclause, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

(III) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

(B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the internet or is currently posted on the internet.

(3) "Reasonable pupil" means a pupil, including, but not limited to, a pupil with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of that age, or for a person of that age with the pupil's exceptional needs.

(s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section unless the act is related to a school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to a school activity or school attendance that occur at any time, including, but not limited to, any of the following:

- (1) While on school grounds.
- (2) While going to or coming from school.
- (3) During the lunch period whether on or off the campus.
- (4) During, or while going to or coming from, a school-sponsored activity.

(t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).

(u) As used in this section, "school property" includes, but is not limited to, electronic files and databases.

(v) For a pupil subject to discipline under this section, a superintendent of the school district or principal is encouraged to provide alternatives to suspension or expulsion, using a research-based framework with strategies that improve behavioral and academic outcomes, that are age appropriate and designed to address and correct the pupil's specific misbehavior as specified in Section 48900.5.

(w) (1) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.

(2) It is further the intent of the Legislature that the Multi-Tiered System of Supports, which includes restorative justice practices, trauma-informed practices, social and emotional learning, and schoolwide positive behavior interventions and support, may be used to help pupils gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community.

(Amended by Stats. 2019, Ch. 279, Sec. 2. (SB 419) Effective January 1, 2020.)

State of California

EDUCATION CODE

Section 48915

48915. (a) (1) Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct:

- (A) Causing serious physical injury to another person, except in self-defense.
- (B) Possession of any knife or other dangerous object of no reasonable use to the pupil.
- (C) Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for either of the following:
 - (i) The first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
 - (ii) The possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.
- (D) Robbery or extortion.
- (E) Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

(2) If the principal or the superintendent of schools makes a determination as described in paragraph (1), he or she is encouraged to do so as quickly as possible to ensure that the pupil does not lose instructional time.

(b) Upon recommendation by the principal or the superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board of a school district may order a pupil expelled upon finding that the pupil committed an act listed in paragraph (1) of subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of Section 48900. A decision to expel a pupil for any of those acts shall be based on a finding of one or both of the following:

- (1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- (2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

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

(1) Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district. The act of possessing an imitation firearm, as defined in subdivision (m) of Section 48900, is not an offense for which suspension or expulsion is mandatory pursuant to this subdivision and subdivision (d), but it is an offense for which suspension, or expulsion pursuant to subdivision (e), may be imposed.

(2) Brandishing a knife at another person.

(3) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.

(4) Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.

(5) Possession of an explosive.

(d) The governing board of a school district shall order a pupil expelled upon finding that the pupil committed an act listed in subdivision (c), and shall refer that pupil to a program of study that meets all of the following conditions:

(1) Is appropriately prepared to accommodate pupils who exhibit discipline problems.

(2) Is not provided at a comprehensive middle, junior, or senior high school, or at any elementary school.

(3) Is not housed at the schoolsite attended by the pupil at the time of suspension.

(e) Upon recommendation by the principal or the superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board of a school district may order a pupil expelled upon finding that the pupil, at school or at a school activity off of school grounds violated subdivision (f), (g), (h), (i), (j), (k), (l), or (m) of Section 48900, or Section 48900.2, 48900.3, or 48900.4, and either of the following:

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

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

(f) The governing board of a school district shall refer a pupil who has been expelled pursuant to subdivision (b) or (e) to a program of study that meets all of the conditions specified in subdivision (d). Notwithstanding this subdivision, with respect to a pupil expelled pursuant to subdivision (e), if the county superintendent of schools certifies that an alternative program of study is not available at a site away from a comprehensive middle, junior, or senior high school, or an elementary school, and that the only option for placement is at another comprehensive middle, junior, or senior high school, or another elementary school, the pupil may be referred to a program of study that is provided at a comprehensive middle, junior, or senior high school, or at an elementary school.

(g) As used in this section, “knife” means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 ½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.

(h) As used in this section, the term “explosive” means “destructive device” as described in Section 921 of Title 18 of the United States Code.

(Amended by Stats. 2012, Ch. 431, Sec. 3. (AB 2537) Effective January 1, 2013.)

Grades K-6	48900	2019	2020	2021	2022	2023	2024	2025
Total Number of Suspendable Incidents for Each School Year		0	0					
Ed. Code Violations								
For each suspension, put a tally mark next to each Ed. Code violation that applies.								
A-1. Caused, attempted to cause, or threatened to cause physical injury to another person.								
A-2. Willfully used force or violence upon the other person of another, except in self-defense								
B. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.								
C. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.								
D. Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in chapter 2 (commencing with section 11053) of Division 10 of the health and Safety code, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.								
E. Committed or attempted to commit robbery or extortion.								
F. Caused or attempted to cause damage to school property or private property.								
G. Stolen or attempted to steal school property or private property.								
H. Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.								

I. Committed an obscene act or engaged in habitual profanity or vulgarity.								
J. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in a section 11014.5 of the health and safety code								
K. Alone disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, admin, school officials, or other school personnel engaged in their performance of their duties.								
K. Combined with other codes								
K. Total								
L. Knowingly received stolen school property of private property.								
M. Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.								
N. Committed or attempted to commit a sexual assault.								
O. Harassed, threatened, or intimidated a pupil who is a complaining witness.								
P. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.								
Q. Engaged in, or attempted to engage in, hazing.								
R. Engaged in an act of bullying, concluding but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of section 32261, directed specifically toward a pupil or school personnel.								
S. Aids or abets the infliction or attempted infliction of physical injury to another person								
0.2. Engaged in sexual harassment								
0.3. Engaged in hate violence.								
0.4. Engaged in harassment, threats, or intimidation.								
0.7. A pupil making a terrorist threat against school officials or school property or both.								

7. PROCEDURES REGARDING TEACHER NOTIFICATION OF DANGEROUS STUDENTS PURSUANT TO EC 49079

In accordance with Education Code 49079, teachers are informed annually of all pupils who have been suspended or expelled under Education Code 48900 during the previous three school years.

Following in this component is:

- Education Code EC 49079

Education Code

Education Code

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

EC 49079

(a) A school district shall inform the teacher of each pupil who has engaged in, or is reasonably suspected to have engaged in, any of the acts described in any of the subdivisions, except subdivision (h), of Section 48900 or in Section 48900.2, 48900.3, 48900.4, or 48900.7 that the pupil engaged in, or is reasonably suspected to have engaged in, those acts. The district shall provide the information to the teacher based upon any records that the district maintains in its ordinary course of business, or receives from a law enforcement agency, regarding a pupil described in this section.

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

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

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

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

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

Reference:

Education Code 48900

Education Code 48900.2

Education Code 48900.3

Education Code 48900.4

Education Code 48900.7

8. SEXUAL HARASSMENT POLICY EC 212.5

The district Governing Board has established policies and standards of behavior regarding sexual harassment and is cited in the Policy Handbook (BP 4119.1, 4219.11, 4319.11). Students and parents also receive the information in the LCUSD Elementary Schools Parent & Student Handbook. Additionally, all students attend the beginning of the year assembly which reviews the school rules and includes information on the harassment policy.

In accordance with the Board Policy and Administrative Regulations relating to students, the Governing Board is committed to maintaining a learning environment that is free of harassment. The Board prohibits the unlawful sexual harassment of any student by any employee, student, or other person at school or at any school-related activity. Board Policy is included in the staff handbooks.

In accordance with Board Policy and Administrative Regulations, the Governing Board prohibits sexual harassment in the working environment of district employees or applicants by any person in any form. The policy is posted in the school office, and employees are required to sign a statement indicating their awareness and responsibilities. Employees who permit or engage in such harassment may be subject to disciplinary action up to and including dismissal.

Following in this component are:

- EC 212.5
- AR 5145.7
- BP 5145.7
- AR 4119.11
- BP 4119.11

Education Code

Education Code

Educational Equity

EC 212.5

"Sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

- (a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.
- (b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- (c) The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- (d) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

(Amended by Stats. 1998, Ch. 914, Sec. 12.)

La Canada USD |

AR 5145.7 Students

Sexual Harassment

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

Executive Director of Personnel Services

4490 Cornishon Ave.

La Canada CA 91011

(818) 952-8383

dcraddock@lcsd.net

(cf. 1312.3 - Uniform Complaint Procedures)

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

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

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

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

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

Reporting Process and Complaint Investigation and Resolution

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

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

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

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

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

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

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Confidentiality

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

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

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

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

(cf. 5125 - Student Records)

Response Pending Investigation

When an incident of sexual harassment is reported, the principal or designee, in consultation with the compliance officer, shall determine whether interim measures are necessary pending the results of the

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

Notifications

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

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

(cf. 5145.6 - Parental Notifications)

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

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

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

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

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

5. Be provided to employees and employee organizations

Administrative LA CANADA UNIFIED SCHOOL DISTRICT

approval: January 15, 2019 La Canada Flintridge, California

La Canada USD

BP 5145.7 Students

Sexual Harassment

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

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

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

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

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

Instruction/Information

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence.
2. A clear message that students do not have to endure sexual harassment under any circumstance

3. Encouragement to report observed incidents of sexual harassment, even where the alleged victim of the harassment has not complained.

4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved.

5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students.

6. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made.

7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues.

8. A clear message that, when needed, the district will take interim measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment.

Complaint Process and Disciplinary Actions

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

(cf. 1312.3 - Uniform Complaint Procedures)

Upon investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades K-3, this disciplinary action shall depend on the maturity of the students and the circumstances involved. For students in grades 4 through 12, the disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

(cf. 5144 - Discipline)

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

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

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall have his/her employment terminated in

accordance with law and the applicable collective bargaining agreement. Any employee who permits or fails to report sexual harassment shall be subject to disciplinary action up to and including dismissal. In addition, criminal or civil charges may be brought against the alleged harasser; sexual harassment also may be considered a violation of laws relating to child abuse.

(cf. 4117.7/4317.7 - Employment Status Report)

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

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

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

(cf. 5141.4 - Child Abuse Reporting Procedures)

Students shall be informed that they should immediately contact a staff member if they feel they are being harassed. Within 24 hours, staff shall report complaints of sexual harassment to the principal or designee or to another district administrator. Staff shall similarly report any such incidents they may observe, even if the harassed student has not complained.

The principal or designee shall immediately investigate any report of the sexual harassment of a student. Upon verifying that sexual harassment occurred, he/she shall ensure that appropriate action is promptly taken to end the harassment, address its effects on the person subjected to the harassment, and prevent any further instances of the harassment. In addition, the student may file a formal complaint with the Superintendent or designee in accordance with the district's uniform complaint procedures. The principal or designee shall also advise the victim of any other remedies that may be available. The principal or designee shall file a report with the Superintendent or designee and refer the matter to law enforcement authorities, where required.

(cf. 1312.3 - Uniform Complaint Procedures)

In any case of sexual harassment involving the principal or any other district employee to whom the complaint would ordinarily be made the employee who receives the student's report or who observes the incident shall report to the nondiscrimination coordinator or the Superintendent or designee.

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

(cf. 5141.4 - Child Abuse Reporting Procedures)

(cf. 5145.3 - Nondiscrimination/Harassment)

The district prohibits retaliatory behavior against any complainant or any participant in the complaint process. Information related to a complaint of sexual harassment shall be confidential to the extent possible, and individuals involved in the investigation of such a complaint shall not discuss related information outside the investigation process.

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

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 its schools.

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

(cf. 3580 - District Records)

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

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 receiving state financial assistance

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) 208 F.3d 736

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

Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989

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

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

Management Resources:

CSBA PUBLICATIONS

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

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

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

Q&A on Campus Sexual Misconduct, September 2017

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

Dear Colleague Letter: Title IX Coordinators, April 2015

Sexual Harassment: It's Not Academic, September 2008

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

WEB SITES

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

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

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

Policy LA CANADA UNIFIED SCHOOL DISTRICT

adopted: January 15, 2019 La Canada Flintridge, California

La Canada USD

AR 4119.11 Personnel

Sexual Harassment

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when:

1. Submission to the conduct is made either expressly or by implication a term or condition of any individual's employment.
2. Submission to or rejection of such conduct by an individual is used as the basis for an employment decision affecting the individual.
3. The conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance; creating an intimidating, hostile, or offensive work environment; or adversely affecting the other individual's evaluation, advancement, assigned duties, or any other condition of employment or career development.
4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting him/her regarding benefits, services, honors, programs or activities available at or through the district.

Other examples of action that might constitute sexual harassment, whether committed by a supervisor or any other employee, or a non-employee, in the work or educational setting, include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions.
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions.
3. Graphic verbal comments about an individual's body, or overly personal conversations or pressure for sexual activity.
4. Sexual jokes, stories, drawings, pictures, graffiti, gestures, or sexually explicit e-mails.
5. Spreading sexual rumors
6. Touching an individual's body or clothes in a sexual way.
7. Cornering or blocking of normal movements.
8. Displaying sexually suggestive objects or using sexually suggestive computer screen savers.
9. Massaging, grabbing, fondling, stroking or brushing the body

10. Any act of retaliation against an individual who reports a violation of the district's sexual harassment policy or who participates in the investigation of a sexual harassment complaint

Notifications

A copy of the Governing Board's policy and this administrative regulation shall: (Education Code 231.5)

1. Be displayed in a prominent location in the main administrative building or other area of the school where notices of district rules, regulations, procedures and standards of conduct are posted
2. Be provided to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year, or whenever a new employee is hired

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

3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures and standards of conduct

All employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing or a copy of district information sheets that contain, at a minimum, components on: (Government Code 12950)

1. The illegality of sexual harassment
2. The definition of sexual harassment under applicable state and federal law
3. A description of sexual harassment, with examples
4. The district's complaint process available to the employee
5. The legal remedies and complaint process available through the Fair Employment and Housing Department and Equal Employment Opportunity Commission
6. Directions on how to contact the Fair Employment and Housing Department and Equal Employment Opportunity Commission
7. The protection against retaliation provided by 2CCR 7287.8 for opposing harassment prohibited by law or for filing a complaint with, or otherwise participating in an investigation, proceeding or hearing conducted by DFEH and the EEOC.

Administrative LA CANADA UNIFIED SCHOOL DISTRICT

approved January 18, 2005 La Canada Flintridge, California

La Canada USD

BP 4119.11 Personnel

Sexual Harassment

The Governing Board prohibits sexual harassment of district employees and job applicants. The Board also prohibits retaliatory behavior or action against district employees or other persons who complain, testify or otherwise participate in the complaint process established pursuant to this policy and the administrative regulation.

(cf. 4030 - Nondiscrimination in Employment)

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation and correction of sexual harassment, including but not limited to:

1. Providing periodic training to all staff regarding the district's sexual harassment policy, particularly the procedures for filing complaints and employees' duty to use the district's complaint procedures in order to avoid harm.

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

2. Publicizing and disseminating the district's sexual harassment policy to staff.

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

3. Ensuring prompt, thorough and fair investigation of complaints.

4. Taking timely and appropriate corrective/remedial actions after completion of investigation. This may require interim separation of the complainant and the alleged harasser, and subsequent monitoring of developments.

Any district employee or job applicant who feels that he/she has been sexually harassed, or who has knowledge of any incident of sexual harassment by or against another employee, a job applicant or a student, shall immediately contact his/her supervisor, the principal, district administrator or Superintendent.

(cf. 4031 - Complaints Concerning Discrimination in Employment)

An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

A supervisor, principal or other district administrator who received a harassment complaint shall promptly notify the Superintendent or designee.

Any district employee who engages or participates in sexual harassment, or who aids, abets, incites, compels or coerces another to commit sexual harassment against a district employee, job applicant or

student, is in violation of this policy and is subject to disciplinary action, up to and including dismissal. Any employee who engages in sexual harassment may also be held personally liable in a court of law for any damage to the victim.

(cf. 4117.4 - Dismissal)

(cf. 4118 - Suspension/Disciplinary Action)

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

12950.1 Sexual harassment training

LABOR CODE

1101 Political activities of employees

1102.1 Discrimination: sexual orientation

CODE OF REGULATIONS, TITLE 2

7287.8 Retaliation

7288.0 Sexual harassment training and education

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 42

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

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

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

CODE OF FEDERAL REGULATIONS, TITLE 34

106.9 Dissemination of policy

COURT DECISIONS

Department of Health Services v. Superior Court of California, (2003) 31 Cal.4th 1026

Faragher v. City of Boca Raton, (1998) 118 S.Ct. 2275

Burlington Industries v. Ellreth, (1998) 118 S.Ct. 2257

Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989

Oncale v. Sundowner Offshore Serv. Inc., (1998) 118 S.Ct. 998

Meritor Savings Bank, FSB v. Vinson et al., (1986) 447 U.S. 57

Management Resources:

OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

Protecting Students from Harassment and Hate Crime, January, 1999

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Equal Employment Opportunity Commission: <http://www.eeoc.gov>

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

Policy LA CANADA UNIFIED SCHOOL DISTRICT

adopted: January 18, 2005 La Canada Flintridge, California

**9. PROVISIONS OF ANY SCHOOL WIDE DRESS CODE,
ESTABLISHED PURSUANT TO EC 35183**

The dress standard at PCY is published in the "LCUSD Elementary Schools Parent and Student Handbook" and given to all families at the start of the school year.

Following in this component are:

- Education Code EC 35183
- AR 5132
- BP 5132
- "Dress Standard" excerpt from the "LCUSD Elementary Schools Parent and Student Handbook."

Education Code

Education Code

School uniforms; gang apparel; dress codes

EC 35183

(a) The Legislature finds and declares each of the following:

(1) The children of this state have the right to an effective public school education. Both students and staff of the primary, elementary, junior and senior high school campuses have the constitutional right to be safe and secure in their persons at school. However, children in many of our public schools are forced to focus on the threat of violence and the messages of violence contained in many aspects of our society, particularly reflected in gang regalia that disrupts the learning environment.

(2) "Gang-related apparel" is hazardous to the health and safety of the school environment.

(3) Instructing teachers and administrators on the subtleties of identifying constantly changing gang regalia and gang affiliation takes an increasing amount of time away from educating our children.

(4) Weapons, including firearms and knives, have become common place upon even our elementary school campuses. Students often conceal weapons by wearing clothing, such as jumpsuits and overcoats, and by carrying large bags.

(5) The adoption of a schoolwide uniform policy is a reasonable way to provide some protection for students. A required uniform may protect students from being associated with any particular gang. Moreover, by requiring schoolwide uniforms teachers and administrators may not need to occupy as much of their time learning the subtleties of gang regalia.

(6) To control the environment in public schools to facilitate and maintain an effective learning environment and to keep the focus of the classroom on learning and not personal safety, schools need the authorization to implement uniform clothing requirements for our public school children.

(7) Many educators believe that school dress significantly influences pupil behavior. This influence is evident on school dressup days and color days. Schools that have adopted school uniforms experience a "coming together feeling," greater school pride, and better behavior in and out of the classroom.

(b) The governing board of any school district may adopt or rescind a reasonable dress code policy that requires pupils to wear a schoolwide uniform or prohibits pupils from wearing "gang-related apparel" if the governing board of the school district approves a plan that may be initiated by an individual school's principal, staff, and parents and determines that the policy is necessary for the health and safety of the school environment. Individual schools may include the reasonable dress code policy as part of its school safety plan, pursuant to Section 32281.

(c) Adoption and enforcement of a reasonable dress code policy pursuant to subdivision (b) is not a violation of Section 48950. For purposes of this section, Section 48950 shall apply to elementary, high school, and unified school districts. If a schoolwide uniform is required, the specific uniform selected shall be determined by the principal, staff, and parents of the individual school.

(d) A dress code policy that requires pupils to wear a schoolwide uniform shall not be implemented with less than six months' notice to parents and the availability of resources to assist economically disadvantaged pupils.

(e) The governing board shall provide a method whereby parents may choose not to have their children comply with an adopted school uniform policy.

(f) If a governing board chooses to adopt a policy pursuant to this section, the policy shall include a provision that no pupil shall be penalized academically or otherwise discriminated against nor denied attendance to school if the pupil's parents chose not to have the pupil comply with the school uniform policy. The governing board shall continue to have responsibility for the appropriate education of those pupils.

(g) A policy adopted pursuant to this section shall not preclude pupils that participate in a nationally recognized youth organization from wearing organization uniforms on days that the organization has a scheduled meeting.

(Amended by Stats. 2003, Ch. 828, Sec. 10.)

Reference:

Education Code 32281

Education Code 48950

La Canada USD

AR 5132 Students

Dress And Grooming

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

(cf. 0420 - School Plans/Site Councils)

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

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

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

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

Administrative LA CANADA UNIFIED SCHOOL DISTRICT

approval: May 13, 2003 La Canada Flintridge, California

Dress And Grooming

BP 5132

The Governing Board 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.

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)

Legal Reference:

EDUCATION CODE

32281 School safety plans

35183 School dress codes; uniforms

35183.5 Sun-protective clothing

48907 Student exercise of free expression

49066 Grades; effect of physical education class apparel

CODE OF REGULATIONS, TITLE 5

302 Pupils to be neat and clean on entering school

COURT DECISIONS

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

827 F.Supp. 1459

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

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

Policy LA CANADA UNIFIED SCHOOL DISTRICT adopted: May 13, 2003 La Canada Flintridge, California

PROMOTION AND RETENTION POLICY

Promotion to the next grade level is based on a number of factors that include potential, academic progress, social and emotional progress, as well as the desire to succeed. Using criteria in the District's Promotion/ Retention Policy (BP5123), a teacher may recommend that a student be retained in the same grade level for an additional year. The teacher must notify the parent by October if the student is not making adequate progress. The student is referred to the Student Study Team to implement recommendations for remedial instructional services. During the year, teachers will communicate with parents regarding student progress. By January, a formal written notice must be sent to parents of students who remain at risk of retention. Prior to the final decision being made, parents will have the opportunity to meet with the teacher to review assessment results. The final determination promotion/retention will be made at a Student Study Team meeting during the last 30 days of school.

TITLE IX: SEX DISCRIMINATION POLICY

The La Cañada Unified School District maintains as its policy that all aspects of the District's employment, curriculum, counseling and guidance, physical education and athletic program, be free of discrimination on the basis of sex as defined in Title IX. In accordance with the law, a set of grievance procedures will be available at all schools as well as the District Office.

GENERAL SCHOOL INFORMATION AND POLICIES

Lost and Found

Articles that have been lost and found should be turned into the Lost and Found collection area. Smaller articles of value, such as jewelry, wallets, or glasses should be taken to the school office. **Please mark all children's clothes, glasses, and school supplies so that lost items may be returned to the owners.** Items not claimed by the 5th of each month will be donated to welfare agencies.

Dress Standard

All students are required to present themselves in an orderly manner, conducive to the advancement of education. Appearance should be appropriate for the instructional setting. Items that are disruptive or could cause situations that would diminish the safety of students will be prohibited. Appropriateness, safety, and cleanliness are the three factors that should be considered. Appropriateness means a student comes to school dressed for school activities. Students are allowed to wear hats for sun protection only but must take them off when entering classrooms and school buildings. If a student's dress is felt to be unsafe or inappropriate for an elementary campus, the parent may be contacted and requested to bring a change of clothing.

Recess Snack

1. Politeness, respect, and turn taking will be enforced.
2. Healthful snacks are encouraged. Candy, soda, canned food, or dried foods in containers that require water are not permitted.

10. PROCEDURES FOR SAFE INGRESS AND EGRESS TO AND FROM SCHOOL

Parents who drive their children to and from school are directed via the attached instructions of how to safely drop off and pick up their children. There are two different places for drop off and pick up, alleviating some congestion to a degree during the peak traffic hours. The City of La Canada Flintridge built a concrete turn-out area on the street that borders the side of the school and reconfigured parking on that street to more safely accommodate cars and children. Students in 4th grade and above may obtain permission to ride their bicycles to school.

In addition to the sidewalks and turn-outs, our parent volunteers constructed a "safety wall" at the busy intersection corner of our school. The wall serves as a sign, but also as a barrier for students to comfortably wait behind at the end of the school day. The city provides a crossing guard at that corner, as well as at the Oliveta crossing. Our school paraprofessionals supervise children who wait in front of the school until they are safely picked up.

Parents and students are informed of safe egress and ingress procedures in the "LCUSD Elementary Schools Parent and Student Handbook" (See "Carline Procedure")

Following in this component is:

- PCY Traffic Procedures
- Safety Measures at School

SCHOOL HOURS

School Hours: Temporary Mandated Distance Learning AND Virtual Academy

Grade	Group A Hours	While Groups Are Not With Their Instructor	Group B Hours
TK - 6th	8:10 - 11:05	<ul style="list-style-type: none"> • Independent Practice/ Homework • Enrichment Opportunities (see Enrichment, p. 26) 	12:05 - 3:00

School Hours: Hybrid Model

Grade	Group A Arrival	Group A Hours	Group A Dismissal	While Groups Are Off Campus	Group B Arrival	Group B Hours	Group B Dismissal
TK - 6th	7:50 - 8:10	8:10 - 11:05	11:05 - 11:25	<ul style="list-style-type: none"> • Independent Practice/ Homework • Enrichment Opportunities (see Enrichment, p. 26) 	11:55 - 12:05	12:05 - 3:00	3:00 - 3:15

Day Care

The School District does not provide day care; however, day care is available on campus before and after school hours. For information contact:

Child Educational Center (CEC)

140 Oak Grove Drive, LCF
(818) 354-3418 or (818) 790-5473

SAFETY MEASURES AT SCHOOL

Many measures are being taken in our schools that together, limit the spread of infection. However, as long as the virus circulates in society, illness can occur. This means that infection can enter the schools, but the measures described here will limit the spread of infection among children and staff in the school. There are three important tenets to follow:

- **Sick people should not be at school**
- **Good hygiene practices**
- **Reduced contact between people**

Sick People Should Not be at School

Before Coming to School:

To keep our school environment as healthy as possible, before coming to school, children must be free of fever, vomiting or diarrhea for 24 hours. They must be free of any acute symptoms of illness (sore throat, productive/chronic cough, green nasal discharge or upset stomach). If your child has been diagnosed with a contagious disease (i.e. strep throat, pink eye, chickenpox, scabies, lice, etc.), notify the school health office **IMMEDIATELY**. Upon return, students must check-in through the Health Office and provide a doctor's note before being readmitted to school.

Notify the health office **IMMEDIATELY** if your child has been exposed to the COVID-19 virus or is experiencing symptoms of the virus. COVID-19 transmits mainly via droplets and contact infection. It is primarily people with symptoms who are contagious, and contagion is greatest when symptoms occur. The most frequently described symptoms of COVID-19 are initially sore throat, colds and mild coughing, feeling sick, headaches, and muscle aches. Abdominal pain may also occur.

Students must have a face mask at all times. If they do not come to school with their own mask, one will be provided. Fabric masks should be cleaned daily at home. Students will need to bring one or two water bottles, labeled with their names, to school each day since the water fountains will not be in use.

Student Arrival:

Staff will conduct mandatory daily screening and temperature checks for all students and staff entering the campus. Staff will be provided with the proper PPE to mitigate the risk of exposure to our students and staff. Upon arrival at school, students must stay in their vehicle to get their temperature taken before exiting. If they do not arrive by vehicle, students will be directed to line up at a check-in station to get their temperature taken. If a student's temperature is 99.9 degrees or above, or if the student is exhibiting other COVID-19 symptoms, the student will not be allowed to proceed to their classroom. Students will also need to clean their hands with hand sanitizer at supervised stations before entering campus. The AM cohort arrival check in will begin at 7:50 am, and the PM cohort arrival check in will begin at 11:55 am. Students arriving after the tardy bell will be directed to the front office to check-in.

Students Feeling Ill While at School:

Our health office is reserved for sick students. Students who come to the office with an injury will be held in a separate location. If a student has respiratory symptoms or otherwise has the need for COVID-19 testing, the student will be taken to a separate room or outdoors. If the student uses the toilet, the toilet will be cleaned before others use it. Parents or guardians will be contacted to come and take the student to the doctor/for testing. Severe COVID-19 infection in young people is rare, but all precautions will be taken at school to ensure the health and safety of students and staff.

Good Hygiene Practices

Student Responsibilities:

Students will be wearing face masks at all times while on campus. There will be markers on the ground and adult supervision in the passageways to ensure social distancing of six feet apart. Classrooms are set up for social distancing, as well, and students will remain in the same classroom and will not share their desk area with others. Students will have access to sinks with water and soap both in the classrooms and in the restrooms. Restrooms will be monitored for social distancing and safety practices

(students will be reminded to wash their hands for 20 seconds with soap and water before exiting the restrooms).

Staff Responsibilities:

Staff will teach students how to wear their facemasks, how to dispose of them, and how to wash their hands. Staff will also be wearing face masks or face shields and will also be washing their hands regularly. Custodial staff will clean high touch surfaces regularly. Plexiglass shields will be added to reception, attendance, and health office locations. Staff on campus will assist with social distancing during arrival, recess, restrooms, passing through common areas, and in the classrooms.

Reduced Contact Between People

Special Schedules

As you read previously, LCUSD Elementary Schools offer two different models of instruction: The LCUSD Virtual Academy and The LCUSD Hybrid Model. Both programs divide the class into an AM cohort and a PM cohort. The programs also have similar schedules. Please see the chart below that outlines how the Hybrid Model reduces contact between students when they are on campus:

Grade	Arrival	Group A Hours	Group A Outdoor Recess	Cleaning Teacher Lunch/Prep	Arrival	Group B Hours	Group B Outdoor Recess
TK & K	8:00-8:10	8:10-11:05	9:40 - 9:55 Brain Break	11:05-12:05	11:55-12:05	12:05-3:00	1:35 - 1:50 Brain Break
1st	8:00-8:10	8:10-11:05	9:00-9:20	11:05-12:05	11:55-12:05	12:05-3:00	1:00-1:20
2nd	8:00-8:10	8:10-11:05	9:00-9:20	11:05-12:05	11:55-12:05	12:05-3:00	1:00-1:20
3rd	8:00-8:10	8:10-11:05	9:25-9:45	11:05-12:05	11:55-12:05	12:05-3:00	1:25-1:45
4th	8:00-8:10	8:10-11:05	9:25-9:45	11:05-12:05	11:55-12:05	12:05-3:00	1:25-1:45
5th	8:00-8:10	8:10-11:05	9:50-10:10	11:05-12:05	11:55-12:05	12:05-3:00	1:50-2:10
6th	8:00-8:10	8:10-11:05	9:50-10:10	11:05-12:05	11:55-12:05	12:05-3:00	1:50-2:10

Smaller Cohorts

On campus during the Hybrid Model, we will be working at 50% capacity. Therefore, half of the students will come to school in the morning and half will come to school in the afternoon. Each cohort will contain 11 - 15 students, depending on the grade level. Cohorts will stay together for recesses and dismissal.

Social Distancing Protocols

Every effort will be made to keep students and staff members six feet apart. Markers are placed in our office area and elsewhere on our campus, and students and visitors must use these markers as waiting

points. Class cohorts will be 50% of the normal class size, and student desks will be spaced apart and facing toward the front of the classroom. Supervised, sufficient points of access to campus, restrooms, and other areas will be provided to avoid large gatherings.

At the end of each dismissal time, parents will be able to pick up their children at designated dismissal areas. Students will be dismissed to predetermined carlines. TK/kindergarten students will be dismissed near the kindergarten gate. Support staff will monitor carlines and hallways to promote social distancing and proper face covering protocols.

Staggered Recesses

Grade levels will participate in recess breaks at separate times, and cohorts will remain together and will not mix with other cohorts. Activities will not involve physical contact with other students or equipment until advised otherwise by state/local public health officials. Please see the following schedule for Hybrid Model while students are on campus:

Grade	Group A Recess	Group B Recess
TK/Kindergarten	9:40 - 9:55 Brain Break	1:35 - 1:50 Brain Break
1st	9:00-9:20	1:00-1:20
2nd	9:00-9:20	1:00-1:20
3rd	9:25-9:45	1:25-1:45
4th	9:25-9:45	1:25-1:45
5th	9:50-10:10	1:50-2:10
6th	9:50-10:10	1:50-2:10

Carline Procedure

All school sites have established car lines to facilitate student drop-off/pick-up. When using the car lines, vehicles are to move in a single line and as far forward as possible. Students must wait for vehicles to come to a complete stop to safely enter or exit them from **the passenger side only**. Students cannot jaywalk across streets to enter vehicles. Vehicles may not double park. Backpacks should be inside the car and not in the trunk to keep the carline moving and our students safe. A campus supervisor and/or parent volunteer will be available to assist students during drop-off and pick-up times.

Walking To & From School

Students are urged to use caution at all times when using public streets and sidewalks. Where sidewalks do not exist, students should walk on the left side of the street, facing traffic.

Bicycles, Skateboards, Scooters, Roller Blades/Roller Sneakers

Bicycles may be ridden to school by grades 4, 5, and 6 students **only**. A Bicycle Permit is available in the school office and must be signed by a parent. Riding bicycles on school grounds is prohibited at all times. Bicycles are to be walked while on school grounds and must be locked securely in the bike rack during school hours. Students riding bicycles are required by state law to wear a helmet. If safety rules are not followed, the privilege of riding a bicycle to school will be revoked. Skateboards, scooters, roller blades, and roller sneakers are not to be ridden to or from school. Riding skateboards, scooters, ZUCA® backpacks, and rollerblades/sneakers on school grounds is prohibited at all times.

Dogs/Animals

In order to provide for the health and safety of La Cañada Unified students, staff, and visitors, we have a **NO ANIMALS** policy on school grounds except for service dogs. Please do not bring your dogs on school grounds when dropping off or picking up your children. Thank you for your understanding and cooperation in this matter.

Drug-Free/Tobacco-Free Policy

The intent of the Governing Board is to keep the district schools free of alcohol, tobacco, and drugs. The use of alcohol, tobacco, e-cigarettes, vaping devices and drugs is prohibited at all times on district grounds. This prohibition applies to all employees, students, parents, visitors and other persons at any activity or athletic event on district property.

The district provides K-12 sequential instructional and extra-curricular programs that help students resist the use of alcohol, tobacco, electronic smoking devices and other drugs. Recognizing that keeping schools free of these risky behaviors is a major concern of the schools and the community. LCUSD actively supports cooperation between schools, parents/guardians, students, law enforcement and other appropriate community agencies which are involved in alcohol, tobacco and drug prevention programs.

Any person who observes a violation on school property should report it to the site administrator. Students who violate provisions of these policies shall be subject to disciplinary action.

Intervention and cessation services will be provided to assist individuals from continued use. They might include: school counseling, parent conferences, and/or referrals to outside agencies. The following local agencies can provide more information and assistance:

California Smokers' Hotline 1 (800) NO-BUTTS
Alcoholics Anonymous 1 (800) 923-8722

Paradise Canyon Elementary School Traffic Procedures

In an effort to keep our children safe, we have organized drop off and pick up procedures. These traffic procedures are most effective when everyone is clear on what they are supposed to do and works together. Supervision for students begins at 7:45 a.m. and ends at 3:15 p.m. If you must drop off or pick up outside of these hours, you need to arrange for child care.

Grade	Arrival Time	Start Time	Dismissal
A.M. Kinder	8:00 a.m.	8:10 a.m.	11:30 a.m.
P.M. Kinder	11:30 a.m.	11:35 a.m.	3:05 p.m.
Grades 1-3 Early Birds	8:00 a.m.	8:10 a.m.	1:50 p.m.
Grades 1-3 Late Birds	9:00 a.m.	9:10 p.m.	2:50 p.m.
Grades 4-6	8:00 a.m.	8:10 a.m.	2:50 p.m.

Transportation by Car

1. There are two carlines.
 - 1) The circle driveway along Knight Way
 - 2) The Gould Ave. gate
2. You must follow California state traffic laws at all times. Sheriffs periodically monitor the traffic and will give out tickets to those in violation of CA traffic laws.
3. As a reminder, parents and students are expected to adhere to the following rules for the safety of all:
 - 1) Abide by the marked signs for where to drop off and pick up your child.
 - 2) Maintain the flow of carline. Do not park or leave your car for any amount of time.
 - 3) Do not double-park next to the carline.
 - 4) Children must be accompanied by an adult when crossing the carline or street. Do not motion to your child to cross the carline or street on their own.
 - 5) Do not drop off or pick up your child in the staff parking lot.
 - 6) Maintain a safe speed (5 mph) through the carline.

Transportation by Walking or Biking

- Families living West of PCY - Children walking or biking from the West of the PCY Campus should enter/exit the campus through the Gould Gate or the front office area.
 - Exception: Late birds *must* enter the school through the Knight Way carline. Late birds may not arrive until 9:00 AM. They should enter the school by walking around the administration building and reporting to the lower playground where someone will be on duty to supervise them. Late birds are not to enter at the Gould Gate.

- Families living East of PCY - Children walking or biking from the East of the PCY campus should enter/exit the campus through the Knight Way/Oliveta Gate or cross at the pedestrian crosswalk in the circle driveway west of the Staff parking lot.
- Students in 4 - 6 grades may ride a bike if they have a signed bike permission slip (available in the office). Students who ride a bike are required by law to wear a helmet. If we find a student riding a bike and not wearing a helmet, we will inform the parents and may revoke the bike permit. Bikes must be locked and the school cannot be responsible for a lost or stolen bike.

Remember, when you choose to break the driving laws or PCY Traffic Procedures, you are modeling behavior that may be replicated by others parents and/or students. Please help us keep everyone safe and the car line running smoothly. Thank you for your attention and cooperation with the PCY Traffic Procedures.

TRAFFIC PROCEDURES FOR GOULD AVE.

Gould Ave. drop off/pick up is a **car line**, where cars are **continually moving forward** along the entire yellow loading zone. Please adhere to the following procedures for drop off/pick up on Gould Ave.

1. **Enter the car line as you cross Knight Way.** Cars cannot enter the car line once they are on Gould Ave. and north of Knight Way.
2. **The car line must continually move forward.** Do not park or leave your vehicle unattended for any reason.
3. **Drivers must remain in their vehicles,** ready to move forward, as students enter/exit from the sidewalk side only.
4. **Drivers must remain in the car line until they reach the end of yellow loading drop off/pick up area.** Darting out of the car line can be hazardous and unsafe. It also creates significant traffic congestion if vehicles try to exit the car line prior to the end of the drop off/pick up area.
5. **Drivers may not park in the car line to wait for students.** If students have not arrived by the time drivers get to the end of the yellow drop off/pick up loading area, drivers must loop around to go through the car line again. **Drivers may not wait for students in the car line – it must continually move forward.**
6. **Drivers must adhere to City traffic rules regarding parking and U-turns.** Drivers may not stop or park along the median on Gould Ave. nor make immediate U-turns at the end of the street median on Gould Ave.
7. **Students are not ever permitted to cross streets without an adult, and must always use the crosswalks.** It is imperative that adults adhere to this pedestrian law as well to model safe choices for egress/ingress to school.

Thank you for your cooperation. We hope these procedures will ensure the safety of all students and families.

11. A SAFE AND ORDERLY ENVIRONMENT CONDUCIVE TO LEARNING

The paraprofessionals provide supervision for students in the morning and check the school gates to make certain they are locked during the school day. The principal and school counselor assist the staff and remind students of safe practices during recess times and keeps our halls orderly as students come and go for lunch, before, and after school. Credentialed teachers supervise the playground during recess times and noon duty aides supervise students at lunch and on the playground for lunch recess.

Our school is virtually crime-free, the only exception being occasional mild graffiti, which is painted over immediately. We are a designated Tobacco-Free school and we take part in Red Ribbon Week each year. With every student signing the Drug-Free Pledge and participating in writing/art activities that reinforce healthy life choices.

Paradise Canyon's counselor teaches all K-2 students "Kelso's Choices" and "Building Character With Kelso." The curriculum is taught in regular classrooms and is used in preventing problems as well as in solving problems. Along with reviewing these lessons, our 3-5 students are taught various conflict resolution strategies and emotional management techniques throughout the year. Our expectations for behavior are announced at our yearly assemblies and are written in our handbook. The LCUSD Elementary Schools Parent and Student Handbook is distributed to each family at the beginning of the school year with thorough discussion in classes. Parents and students sign confirmation that they have read and understood our behavior standards and agree to abide by them.

Our discipline plan is one of intervention and progressive consequences for inappropriate behavior and positive recognition for acceptable behavior. Parents are always included in this effort with communication from the teacher/counselor as soon as a problem surfaces. Our teachers identify valued characteristics (honesty, perseverance, etc.) which we promote each month during the Spirit Rally and classroom lessons, and students are recognized with Cougar Cash and Cougar Coupons.

We are fortunate to have a beautiful campus with grassy areas and abundant trees, and we all do our part in keeping the school clean. The past year, the entire school went through a remodeling process that provided wheelchair access to all areas of the school in an aesthetically pleasing way. In addition, perimeter gates were raised in areas where outside access was possible, and security cameras were installed around the school. PCY is a safe, secure, and friendly place for students, parents, teachers, and the community.

40 Developmental Assets® for Children Grades K–3 (ages 5–9)

Search Institute® has identified the following building blocks of healthy development—known as **Developmental Assets**®—that help young people grow up healthy, caring, and responsible.



External Assets

Support

1. **Family Support**—Family continues to be a consistent provider of love and support for the child’s unique physical and emotional needs.
2. **Positive Family Communication**—Parent(s) and child communicate openly, respectfully, and frequently, with child receiving praise for her or his efforts and accomplishments.
3. **Other Adult Relationships**—Child receives support from adults other than her or his parent(s), with the child sometimes experiencing relationships with a nonparent adult.
4. **Caring Neighborhood**—Parent(s) and child experience friendly neighbors who affirm and support the child’s growth and sense of belonging.
5. **Caring School Climate**—Child experiences warm, welcoming relationships with teachers, caregivers, and peers at school.
6. **Parent Involvement in Schooling**—Parent(s) talk about the importance of education and are actively involved in the child’s school success.

Empowerment

7. **Community Values Children**—Children are welcomed and included throughout community life.
8. **Children as Resources**—Child contributes to family decisions and has opportunities to participate in positive community events.
9. **Service to Others**—Child has opportunities to serve in the community with adult support and approval.
10. **Safety**—Parents and community adults ensure the child’s safety while keeping in mind her or his increasing independence.

Boundaries & Expectations

11. **Family Boundaries**—The family maintains supervision of the child, has reasonable guidelines for behavior, and always knows where the child is.
12. **School Boundaries**—Schools have clear, consistent rules and consequences and use a positive approach to discipline.
13. **Neighborhood Boundaries**—Neighbors and friends’ parents help monitor the child’s behavior and provide feedback to the parent(s).
14. **Adult Role Models**—Parent(s) and other adults model positive, responsible behavior and encourage the child to follow these examples.
15. **Positive Peer Influence**—Parent(s) monitor the child’s friends and encourage spending time with those who set good examples.
16. **High Expectations**—Parent(s), teachers, and other influential adults encourage the child to do her or his best in all tasks and celebrate their successes.

Constructive Use of Time

17. **Creative Activities**—Child participates weekly in music, dance, or other form of artistic expression outside of school.
18. **Child Programs**—Child participates weekly in at least one sport, club, or organization within the school or community.
19. **Religious Community**—Child participates in age-appropriate religious activities and caring relationships that nurture her or his spiritual development.
20. **Time at Home**—Child spends time at home playing and doing positive activities with the family.

Internal Assets

Commitment to Learning

21. **Achievement Motivation**—Child is encouraged to remain curious and demonstrates an interest in doing well at school.
22. **Learning Engagement**—Child is enthused about learning and enjoys going to school.
23. **Homework**—With appropriate parental support, child completes assigned homework.
24. **Bonding to School**—Child is encouraged to have and feels a sense of belonging at school.
25. **Reading for Pleasure**—Child listens to and/or reads books outside of school daily.

Positive Values

26. **Caring**—Parent(s) help child grow in empathy, understanding, and helping others.
27. **Equality and Social Justice**—Parent(s) encourage child to be concerned about rules and being fair to everyone.
28. **Integrity**—Parent(s) help child develop her or his own sense of right and wrong behavior.
29. **Honesty**—Parent(s) encourage child’s development in recognizing and telling the truth.
30. **Responsibility**—Parent(s) encourage child to accept and take responsibility for her or his actions at school and at home.
31. **Self-Regulation**—Parents encourage child’s growth in regulating her or his own emotions and behaviors and in understanding the importance of healthy habits and choices.

Social Competencies

32. **Planning and Decision Making**—Parent(s) help child think through and plan school and play activities.
33. **Interpersonal Competence**—Child seeks to build friendships and is learning about self-control.
34. **Cultural Competence**—Child continues to learn about her or his own cultural identity and is encouraged to interact positively with children of different racial, ethnic, and cultural backgrounds.
35. **Resistance Skills**—Child is learning to recognize risky or dangerous situations and is able to seek help from trusted adults.
36. **Peaceful Conflict Resolution**—Child continues learning to resolve conflicts without hitting, throwing a tantrum, or using hurtful language.

Positive Identity

37. **Personal Power**—Child has a growing sense of having influence over some of the things that happen in her or his life.
38. **Self-Esteem**—Child likes herself or himself and feels valued by others.
39. **Sense of Purpose**—Child welcomes new experiences and imagines what he or she might do or be in the future.
40. **Positive View of Personal Future**—Child has a growing curiosity about the world and finding her or his place in it.

40 Developmental Assets® for Middle Childhood (ages 8-12)

Search Institute® has identified the following building blocks of healthy development—known as **Developmental Assets**®—that help young people grow up healthy, caring, and responsible.



External Assets

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|--------------------------------------|--|
| Support | <ol style="list-style-type: none"> 1. Family support—Family life provides high levels of love and support. 2. Positive family communication—Parent(s) and child communicate positively. Child feels comfortable seeking advice and counsel from parent(s). 3. Other adult relationships—Child receives support from adults other than her or his parent(s). 4. Caring neighborhood—Child experiences caring neighbors. 5. Caring school climate—Relationships with teachers and peers provide a caring, encouraging environment. 6. Parent involvement in schooling—Parent(s) are actively involved in helping the child succeed in school. |
| Empowerment | <ol style="list-style-type: none"> 7. Community values youth—Child feels valued and appreciated by adults in the community. 8. Children as resources—Child is included in decisions at home and in the community. 9. Service to others—Child has opportunities to help others in the community. 10. Safety—Child feels safe at home, at school, and in his or her neighborhood. |
| Boundaries & Expectations | <ol style="list-style-type: none"> 11. Family boundaries—Family has clear and consistent rules and consequences and monitors the child's whereabouts. 12. School Boundaries—School provides clear rules and consequences. 13. Neighborhood boundaries—Neighbors take responsibility for monitoring the child's behavior. 14. Adult role models—Parent(s) and other adults in the child's family, as well as nonfamily adults, model positive, responsible behavior. 15. Positive peer influence—Child's closest friends model positive, responsible behavior. 16. High expectations—Parent(s) and teachers expect the child to do her or his best at school and in other activities. |
| Constructive Use of Time | <ol style="list-style-type: none"> 17. Creative activities—Child participates in music, art, drama, or creative writing two or more times per week. 18. Child programs—Child participates two or more times per week in cocurricular school activities or structured community programs for children. 19. Religious community—Child attends religious programs or services one or more times per week. 20. Time at home—Child spends some time most days both in high-quality interaction with parents and doing things at home other than watching TV or playing video games. |

Internal Assets

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|-------------------------------|--|
| Commitment to Learning | <ol style="list-style-type: none"> 21. Achievement Motivation—Child is motivated and strives to do well in school. 22. Learning Engagement—Child is responsive, attentive, and actively engaged in learning at school and enjoys participating in learning activities outside of school. 23. Homework—Child usually hands in homework on time. 24. Bonding to school—Child cares about teachers and other adults at school. 25. Reading for Pleasure—Child enjoys and engages in reading for fun most days of the week. |
| Positive Values | <ol style="list-style-type: none"> 26. Caring—Parent(s) tell the child it is important to help other people. 27. Equality and social justice—Parent(s) tell the child it is important to speak up for equal rights for all people. 28. Integrity—Parent(s) tell the child it is important to stand up for one's beliefs. 29. Honesty—Parent(s) tell the child it is important to tell the truth. 30. Responsibility—Parent(s) tell the child it is important to accept personal responsibility for behavior. 31. Healthy Lifestyle—Parent(s) tell the child it is important to have good health habits and an understanding of healthy sexuality. |
| Social Competencies | <ol style="list-style-type: none"> 32. Planning and decision making—Child thinks about decisions and is usually happy with results of her or his decisions. 33. Interpersonal Competence—Child cares about and is affected by other people's feelings, enjoys making friends, and, when frustrated or angry, tries to calm her- or himself. 34. Cultural Competence—Child knows and is comfortable with people of different racial, ethnic, and cultural backgrounds and with her or his own cultural identity. 35. Resistance skills—Child can stay away from people who are likely to get her or him in trouble and is able to say no to doing wrong or dangerous things. 36. Peaceful conflict resolution—Child seeks to resolve conflict nonviolently. |
| Positive Identity | <ol style="list-style-type: none"> 37. Personal power—Child feels he or she has some influence over things that happen in her or his life. 38. Self-esteem—Child likes and is proud to be the person that he or she is. 39. Sense of purpose—Child sometimes thinks about what life means and whether there is a purpose for her or his life. 40. Positive view of personal future—Child is optimistic about her or his personal future. |

12. RULES AND PROCEDURES ON SCHOOL DISCIPLINE ADOPTED PURSUANT TO EC 35291 AND 35291.5

All parents and students are notified of the "Elementary Parent and Student Handbook" the first week of school to be found on the PCY website and that hard copies are available in the office. Teachers review the rules with students and emphasize the reason for their necessity. The student code of conduct is guided by our "Rules for General School Conduct" which address respect and conflict management. Students are then required to review them with their parents. Both parents and students sign confirmation that they have read and understand the school rules.

When students break a rule or are involved in a problem situation, they may fill out a form and/or may receive a "green slip." The form is part of the SAFE Schools program. It helps students analyze the reasons a problem occurred and helps them learn to use preventative strategies. The "green slip" is a notice to parents that the student has violated a school rule.

Following in this component are:

- Ed. Code 35291.5
- BP 5131
- AR 5131.2
- BP 5131.2
- AR 5144
- Anti-Bullying Policy from the Parent Student Handbook
- Student Conduct and Responsibility Policies from the Parent Student Handbook



State of California

EDUCATION CODE

Section 35291.5

35291.5. (a) On or before December 1, 1987, and at least every four years thereafter, each public school may, at its discretion, adopt rules and procedures on school discipline applicable to the school. For schools that choose to adopt rules pursuant to this article, the school discipline rules and procedures shall be consistent with any applicable policies adopted by the governing board and state statutes governing school discipline. In developing these rules and procedures, each school shall solicit the participation, views, and advice of one representative selected by each of the following groups:

- (1) Parents.
- (2) Teachers.
- (3) School administrators.
- (4) School security personnel, if any.
- (5) For junior high schools and high schools, pupils enrolled in the school.

Meetings for the development of the rules and procedures should be developed and held within the school's existing resources, during nonclassroom hours, and on normal schooldays.

The final version of the rules and procedures on school discipline with attendant regulations may be adopted by a panel comprised of the principal of the school, or his or her designee, and a representative selected by classroom teachers employed at the school.

It shall be the duty of each employee of the school to enforce the rules and procedures on school discipline adopted under this section.

(b) The governing board of each school district may prescribe procedures to provide written notice to continuing pupils at the beginning of each school year and to transfer pupils at the time of their enrollment in the school and to their parents or guardians regarding the school discipline rules and procedures adopted pursuant to subdivision (a).

(c) Each school may file a copy of its school discipline rules and procedures with the district superintendent of schools and governing board on or before January 1, 1988.

(d) The governing board may review, at an open meeting, the approved school discipline rules and procedures for consistency with governing board policy and state statutes.

(Amended by Stats. 2002, Ch. 1032, Sec. 3. Effective September 28, 2002.)

La Canada USD | BP 5131 Students

Conduct

The Governing Board believes that all students have the right to be educated in a positive learning environment free from disruptions. To maintain such an environment, students, parents/guardians, staff and the Board all must understand and fulfill their responsibilities related to student conduct. 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 from school, at school activities, or using district transportation.

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 consistent with student safety.

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

5181 Governing board authority to set policy on responsibilities of students

35291-35291.5 Rules

44807 Duty concerning conduct of students

48900-48925 Suspension and expulsion

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

CIVIL CODE

1714.1 Liability of parents and guardians for willful misconduct of minor

PENAL CODE

288.2 Harmful matter with intent to seduce

313 Harmful matter

417.25-417.27 Laser scope or laser pointer

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

653.2 Electronic communication devices, threats to safety

VEHICLE CODE

23123-23124 Prohibitions against use of electronic devices while driving

CODE OF REGULATIONS, TITLE 5

300-307 Duties of students

UNITED STATES CODE, TITLE 42

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

COURT DECISIONS

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

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

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

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

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

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

Management Resources:

CSBA PUBLICATIONS

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

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

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying at School, 2003

WEB SITES

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

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

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

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

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

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

Policy LA CA-ADA UNIFIED SCHOOL DISTRICT

adopted: July 10, 2012 La Cañada Flintridge, California

La Canada USD | AR 5131.2 Students

Bullying

Definitions

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and involves repetition or potential repetition of a deliberate act.

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

(cf. 5145.2 - Freedom of Speech/Expression)

(cf. 6163.4 - Student Use of Technology)

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to:

1. Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
2. Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
3. Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
4. Cyberbullying, such as sending demeaning or hateful text messages or emails, sending rumors by email or by posting on social networking sites, or posting embarrassing photos, videos, web site, or fake profiles

Measures to Prevent Bullying

The Superintendent or designee shall implement measures to prevent bullying in district schools, including, but not limited to, the following:

1. Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate

(cf. 5131 - Conduct)

(cf. 5137 - Positive School Climate)

2. Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying

3. Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously

4. Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias

5. Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development

The Superintendent or designee shall make the California Department of Education's online training module on the dynamics of bullying and cyberbullying, which includes the identification of bullying and cyberbullying and the implementation of strategies to address bullying, available annually to all certificated staff and to other employees who have regular interaction with students. (Education Code 32283.5)

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

1. Discuss the diversity of the student body and school community, including their varying immigration experiences
2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
3. Identify the signs of bullying or harassing behavior
4. Take immediate corrective action when bullying is observed
5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Student Instruction

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution 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)

The district shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff shall be expected to demonstrate effective problem-solving and anger management skills.

To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and to consider the consequences of making negative comments about others online.

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.

A staff member who receives a report alleging bullying, or who witnesses an act of bullying, shall notify the principal within five calendar days, or as expeditiously as necessary to ensure the safety of the student(s) involved. Additionally, a staff member who witnesses an act of bullying will take immediate steps to intervene when safe to do so.

Within thirty calendar days, or as expeditiously as necessary to ensure the safety of the student(s) involved, the principal or district compliance officer will conduct a site level investigation regarding the allegation(s). Both the student who is the alleged victim of the bullying, and the student(s) who is/are the alleged perpetrators, shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence.

The complainant shall be notified of the results of the site investigation.

Parents/guardians shall be informed of the right to appeal the results of site investigations to the Superintendent's designee within five calendar days of receiving the site investigation results. Appeals of site investigation results must be in writing. When an appeal is received, the District will provide a written response describing the results of the appeal within thirty calendar days.

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.

Retaliation against a student/staff member because the student/staff member has filed a complaint or assisted or participated in an investigation or proceeding related to this regulation is prohibited. A student who knowingly filed a false bullying/cyberbullying complaint or gives false statements in an investigation or proceeding shall be subject to discipline up to and including suspension and expulsion, as shall any student who is found to have retaliated against another in violation of this regulation.

Confidentiality

An allegation of bullying/cyberbullying, and the results of the investigation, shall be kept confidential to the extent reasonably possible.

Discipline/Corrective Actions

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)

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)

If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement district intervention protocols which may include, but are not limited to, referral to district or community mental health services, other health professionals, and/or law enforcement.

(cf. 5141.52 - Suicide Prevention)

Administrative LA CANADA UNIFIED SCHOOL DISTRICT

approval: October 29, 2019 La Canada Flintridge, California

La Canada USD | BP 5131.2 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. The district and its employees shall establish student safety as one of its highest priorities and shall not tolerate bullying of any student.

No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other 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 electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images as defined in Education Code 48900. 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)

(cf. 6163.4 - Student Use of Technology)

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

Bullying Prevention

To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish 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 perpetrators of bullying.

(cf. 5137 - Positive School Climate)

As appropriate, the district may 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)

Such instruction shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies. Such training shall be designed to provide staff with the skills to:

1. Discuss the diversity of the student body and school community, including their varying immigration experiences
2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
3. Identify the signs of bullying or harassing behavior
4. Take immediate corrective action when bullying is observed
5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior.

(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, 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 bullying shall immediately intervene to stop the incident when it is safe to do so.
(Education Code 234.1)

As appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve school counselors, mental health counselors, and/or 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

Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which 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

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

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

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

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Guidance to Schools: Bullying of Students with Disabilities, October 2014

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

Dear Colleague Letter: Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on the Basis of Sex; Race, Color and National Origin; and Disability, October 26, 2010

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/lr/ss>

California Office of the Attorney General: <http://oag.ca.gov>

Center on Great Teachers and Leaders: <http://gtlcenter.org>

Collaborative for Academic Social and Emotional Learning: <http://casel.org>

Common Sense Media: <http://www.commonsensemedia.org>

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

Partnership for Children and Youth: <http://www.partnerforchildren.org>

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

Policy LA CANADA UNIFIED SCHOOL DISTRICT

adopted: May 14, 2019 La Canada Flintridge, California

La Canada USD | AR 5144 Students

Discipline

Site-Level Rules

Rules for student discipline shall be developed at each school site and filed with the district office. These rules shall be adopted jointly by a panel comprised, at a minimum, of the principal or designee and a representative selected by classroom teachers employed at the school. The views of administrators, teachers, security personnel, parents/guardians and secondary school students shall be obtained when the rules are developed. Site-level rules shall be consistent with law, Governing Board policy and district regulations (Education Code 35291.5) Annually, site-level discipline rules shall be reviewed and, if necessary, updated to align with any changes in district discipline policies or goals for school safety and climate as specified in the district's local control and accountability plan. A copy of the rules shall be filed with the Superintendent or designee for inclusion in the comprehensive safety plan.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

School rules shall be communicated to students clearly and in an age-appropriate manner.

It shall be the duty of each employee of the school to enforce the school rules on student discipline. (Education Code 35291)

Disciplinary Strategies

To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Except when a student's presence causes a danger to himself/herself or others or he/she commits a single act of a grave nature or an offense for which suspension or expulsion is required by law, suspension or expulsion shall be used only when other means of correction have failed to bring about proper conduct. Disciplinary strategies may include, but are not limited to:

1. Discussion or conference between school staff and the student and his/her parents/guardians

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

2. Referral of the student to the school counselor or other school support service personnel for case management and counseling

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

3. Convening of a Student Study Team (SST) or other intervention-related team to assess the behavior and develop and implement an individual plan to address the behavior in partnership with the student and his/her parents/guardians

4. When applicable, referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program or a Section 504 plan

(cf. 6159 - Individualized Education Program)

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

5. Enrollment in a program for teaching prosocial behavior or anger management

6. Participation in a restorative justice program

7. A positive behavior support plan with tiered interventions that occur during the school day on campus

8. Participation in a social and emotional learning program that teaches students the ability to understand and manage emotions, develop caring and concern for others, make responsible decisions, establish positive relationships, and handle challenging situations capably

9. Participation in a program that is sensitive to the traumas experienced by students, focuses on students' behavioral health needs, and addresses those needs in a proactive manner

10. After-school programs that address specific behavioral issues or expose students to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups

(cf. 5148.2 - Before/After School Programs)

11. Recess restriction as provided in the section below entitled "Recess Restriction"

12. Detention after school hours as provided in the section below entitled "Detention After School"

13. Community service as provided in the section below entitled "Community Service"

14. In accordance with Board policy and administrative regulation, restriction or disqualification from participation in extracurricular activities

(cf. 6145 - Extracurricular/Curricular Activities)

15. Reassignment to an alternative educational environment

(cf. 6158 - Independent Study)

16. Suspension and expulsion in accordance with law, Board policy, and administrative regulation

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

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

When, by law or district policy, other means of correction are required to be implemented before a student could be suspended or expelled, any other means of correction implemented shall be documented and retained in the student's records. (Education Code 48900.5)

(cf. 5125 - Student Records)

Recess Restriction

A teacher may restrict a student's recess time only when he/she believes that this action is the most effective way to bring about improved behavior. When recess restriction may involve the withholding of physical activity from a student, the teacher shall try other disciplinary measures before imposing the restriction. Recess restriction shall be subject to the following conditions:

1. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.

2. The student shall remain under a certificated employee's supervision during the period of restriction.

3. Teachers shall inform the principal of any recess restrictions they impose.

(cf. 5030 - Student Wellness)

(cf. 6142.7 - Physical Education and Activity)

Detention After School

Students may be detained for disciplinary reasons up to one hour after the close of the maximum school day. (5 CCR 353)

If a student will miss his/her after school transportation on account of being detained after school, the teacher, principal or designee shall notify parents/guardians of the detention at least one day in advance so that alternative transportation arrangements may be made. The student shall not be detained unless the teacher, principal or designee has notified the parent/guardian.

Students shall remain under the supervision of a certificated employee during the period of detention.

Students attending junior or high school may be offered the choice of serving their detention on Saturday rather than after school.

(cf. 6176 - Weekend/Saturday Classes)

Community Service

As part of or instead of disciplinary action, the Board, Superintendent, principal, or principal's designee may, at his/her discretion, require a student to perform community service during non-school hours on school grounds or, with written permission of the student's parent/guardian, off school grounds. Such service may include, but is not limited to, community or school outdoor beautification, campus betterment, and teacher, peer, or youth assistance programs. (Education Code 48900.6)

This community service option is not available for a student who has been suspended, pending expulsion, pursuant to Education Code 48915. However, if the recommended expulsion is not implemented or the expulsion itself is suspended, then the student may be required to perform community service for the resulting suspension. (Education Code 48900.6)

Notice to Parents/Guardians and Students

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians, in writing, about the availability of district rules related to discipline. (Education Code 35291, 48980)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall also provide written notice of disciplinary rules to transfer students at the time of their enrollment in the district.

Administrative LA CANADA UNIFIED SCHOOL DISTRICT

approved: September 6, 2016 La Canada Flintridge, California

3. Students are responsible for the cleanliness of their eating area and may not be excused to the playground until the supervisor has given permission.
4. Students may not share food.

Classroom Party Policy

1. **Each classroom may have two planned parties per year during instructional time:**
 - 1) A winter holiday party, held on the day before winter recess begins
 - 2) An end-of-the-year party, held on the last day of school.

The PTA room representative will check with the classroom teacher to determine the time of the party, the duration, the activities, the food, and any "favors" to be distributed. The classroom teacher must approve all aspects of the party. Teachers are responsible for making certain that students who have medical conditions or allergies to certain foods are accommodated at all times during these events. This policy is dependent on current public health and safety conditions

2. **Birthday parties are not to be celebrated on campus.**
3. **The sixth grade** end-of-trimester and end-of-the-year activities are planned and implemented by the sixth grade teaching team with assistance from the sixth grade PTA room representatives and other parent volunteers.

ANTI-BULLYING POLICY

The La Canada School District believes that all students have a right to a safe and healthy school environment. The district, schools, and community have an obligation to promote mutual respect, tolerance, and acceptance.

Our elementary schools will not tolerate behavior that infringes on the safety of any student. A student shall not intimidate or harass another student through words or actions.

Bullying among children encompasses a variety of ***negative acts*** carried out ***repeatedly over time***. It involves a ***real or perceived imbalance of power***, with the more powerful child or group attacking those who are less powerful.

Bullying can take several forms: physical (hitting, kicking, spitting, pushing, taking personal belongings); verbal (taunting, malicious teasing, name calling, racial slurs, and making threats); psychological (spreading rumors, manipulating social relationships or engaging in social exclusion, extortion or intimidation), and cyberbullying (use of technology to harass, threaten or humiliate). There is a difference between normal peer conflict and bullying:

Knowing the Difference Between Normal Peer Conflict and Bullying*	
Normal Peer Conflict	Bullying/Harassment
Peers have equal power or are friends with each other.	Imbalance of power between peers; not friends.
Conflict happens occasionally or rarely.	Repeated negative actions that happens often.
May be accidental.	Purposefully done.
May not be serious; no threat of harm.	Serious with threat of physical or emotional harm.
Equal emotional reaction from both peers.	Strong emotional reaction from victim and little or no emotional reaction from bully.
Not seeking power or attention and not trying to gain something.	Seeking power, control or material things.
General remorse - will want to take responsibility.	No remorse - bully blames victim; no guilt from bully.
Effort on both sides to solve the problem.	No effort to solve the problem.
<i>*Adapted from Bully-Proofing Your School, 2004</i>	

Our elementary schools expect students to immediately report incidents of bullying to school staff. Staff is expected to immediately take action when they see or hear of a bullying incident. Each complaint of bullying will be promptly investigated. This policy applies to students on school grounds, while traveling to and from school.

Teachers will discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of bullying. Students who bully are in violation of this policy and are subject to disciplinary action.

The steps for intervening in bullying behavior include, but are not limited to, the following:

1. Staff are expected to take immediate action when they see a bullying incident or when an incident is reported.
2. The school will consistently follow established progressive discipline procedures in dealing with students who violate school rules and/or the school's Anti-Bullying Policy.
3. People witnessing or experiencing bullying are encouraged to report the incident; such reporting will not reflect on the victim or witnesses in any way. In addition, students who retaliate against witnesses or those reporting bullying behaviors are subject to disciplinary action.
4. The school will make reasonable efforts to keep a report of bullying and the results of an investigation confidential.

STUDENT CONDUCT AND RESPONSIBILITY POLICIES

School is often the first place where children begin to develop an understanding of their own needs and wants, as well as the needs and wants of others. It is a place where children begin to "negotiate" turn taking, confront issues of fairness, and resolve differences. La Cañada schools are committed to providing a safe, academically challenging, and socially instructive supportive environment in which children can learn and grow. Our schools have a clear set of school policies and rules for both the classroom and the playground. With parent support, we believe we can teach our children to be responsible young people.

Rules for Responsible Behavior

At LCUSD elementary schools, we believe that a positive environment, where responsible behavior is recognized and rewarded, fosters individual growth, lasting friendships, and pride in the community. We want all students to be proud of their own sense of responsibility. Students can be empowered to make good choices for themselves and others by learning to use the following basic interventions when confronted by unacceptable behaviors in others.

Say "Stop" Students can be advocates for themselves by letting others know that the behavior is hurtful or threatening.

Walk Away Students can avoid hurtful or threatening situations by walking away. We want students to learn that they can choose to be safe and socially responsible at school.

Talk to an adult We encourage students to go to a supervisor on duty, a teacher, a staff member, or an administrator when they need help.

When Students Struggle With Rules

Our role at school is to model, help shape, and work supportively with students to develop responsible behaviors. We view inappropriate student behaviors as opportunities to positively intervene, to provide coaching, and to prompt problem-solving skills among our students. Children grow when they have knowledge and feedback about their actions, understand the reasons for rules, and are given opportunities to practice appropriate behavior.

The type of consequence is based on the severity of the incident and the maturity of the individuals involved. We also acknowledge that behavior determines consequences. Below is a list of possible steps the staff uses to support and intervene with students who periodically struggle with rules. Please

remember, struggling with rules is a part of growing up. Learning from mistakes now will lead to better choices later.

1. As problems emerge, the teacher will meet and counsel with the student. Teachers are encouraged to brainstorm and informally seek the advice of other staff members. Strategies used in the classroom may include positive praise, individual and group incentives such as points, earning privileges or recognition, "time-out" or quiet areas in the classroom, loss of privileges or play periods, detention, and/or individual student contracts.

Emphasis is placed on replacing inappropriate behavior with an alternate appropriate choice. Frequently, simply telling a student what *not to do* is not enough. A student also needs to know *what to do* instead of the inappropriate behavior.

2. If a pattern of problems continues, the teacher will share his/her observations and concerns with the parent and encourage a home-school solution.
3. If the behavior(s) continues, or if the problem is felt to jeopardize the personal welfare of other students or staff members, the administrator(s) will intervene.
4. If problems do not improve, the administrator(s), parent, teacher, and in some cases, the school psychologist/counselor will assist in determining ways of altering the unwanted behavior. These may include a home-school contract, detention, exclusion from specific activities or from a particular peer group, or other techniques that may be helpful.

Occasionally, if a student's behavior is felt to regularly interfere with his/her classroom performance, the teacher may make a referral to the Student Study Team (SST). The SST is an informal body of colleagues, which may include the administrator(s), the school counselor, and/or the school psychologist, whose purpose is to generate formal or informal academic or behavioral interventions for the teacher to implement. The parent will be notified if an SST is recommended.

Examples of inappropriate behaviors that are investigated and confirmed that will likely result in SUSPENSION include, but are not limited to the following:

1. Physical violence that is intentional and harms others
2. Threats of violence
3. Bringing weapons (guns/knives or any object intended to harm another person)

In these cases, parents will be notified by the administration in a timely manner. A meeting will be required and the incident will be documented to ensure all parties are involved and a plan is established for improved student behavior.

General School Conduct

We believe school rules need to be clear and consistently enforced. The following is a detailed list of rules that apply to different times of the day and different areas of the campus, including specific game rules played during recess periods.

1. Students must walk in the hallways and sidewalks.
2. Games of tag or chase are not allowed on the campus or school sidewalk areas.
3. Students are not permitted to bring or wear shoes with wheels.
4. Planted areas may not be used for shortcuts.
5. Students must refrain from making excessive loud noises that may disrupt other classrooms while walking to and from various areas on the campus.
6. Restrooms must be kept clean and orderly. Paper towels go into trash containers. The toilets should be kept free of any item other than toilet paper.
7. All trash goes into trash containers. Students are responsible for their own trash.
8. Gum is not permitted.
9. Personal student items of play (game equipment, trading cards, toys, etc.) may not be brought to school, unless specific permission is given by the teacher and Administrator.
10. Climbing trees or other school facilities is not allowed.
11. No items are to be thrown (rocks, sand, sticks, pine cones, paper wads, etc.).
13. Students may not use profanity. Students may not tease, malign, or threaten.

Rules for Before School

1. Students must not be on campus before **7:45 a.m.** There is limited supervision at this time; therefore, students must remain in the supervised, socially distanced line areas by cohort. Parents are responsible for providing care prior to the arrival times.
2. Students in grades 4, 5, and 6 may ride their bicycles to school. All riders must wear a helmet and have a bicycle permit on file in the office. Bicycles must be walked on campus and locked securely in the bike rack.
3. Skateboards, rollerblades, and scooters are not allowed on campus at any time.
4. Students who arrive after the start times must check in at the office before going to class.
5. Students are responsible to arrive prepared for class work, bringing the necessary materials and completed homework.

Rules for After School

1. Students must leave campus immediately after dismissal as there is no supervision on campus.
2. Wait quietly to be picked up in the designated, spaced areas with your cohorts. Chromebooks and cell phones may not be used while waiting in the carline. If a student needs to call a parent, they must first obtain permission from a staff member.
3. Students should use crosswalks to cross streets.
4. Students should never be in the staff parking lot.
5. The school has authority over students' behavior while the students are on the way to school or are on the way home. If poor behavior occurs during this time, students are subject to school consequences.

Playground Rules (Rules will be Different This Year and Will Be Taught to All)

1. Never leave the playground without a hall pass or getting permission from the yard supervisor. This includes coming to the office, using the bathrooms or the drinking fountains that are not on the playground. You must have a hall pass for the health office. With permission, you may go to the health office with only one partner (not a group).
2. Students must walk "to" and "from" the playground.
3. Only school game rules can be used. Do not change the rules.
4. Play fairly and allow for others to rotate into the game.
5. Take turns. No one can "hold" a place for a friend. There are no "cuts."
6. Chasing games and contact sports, such as tag and football, are not allowed.
7. Students are not allowed to dig or throw dirt, sand, rocks, or other unsafe objects at any time.
8. Listen for the bell or whistle* and stop play/listen for directions.
9. Try to solve a problem using rules for responsible behavior. Solve game disputes by talking about the problem using appropriate words and a calm voice. Use only the school rules of play. You may also play a game of "Rock, Paper, Scissors" to solve the problem. Seek the help of a yard supervisor if needed.

****At any time a whistle is blown on campus, students are to stop their activity and wait for adult direction.***

Playground Supervision

1. Playground supervisors are encouraged to observe students for good sportsmanship, helpful actions and good problem-solving skills.
2. Arguments brought to an adult supervisor: Students will be given a choice to sit together and come to a mutual solution, or may be asked to write out their dispute on a reflection form for further action.
3. Conflicts in which students cannot come to a solution or when a student has a pattern of

repeatedly breaking school rules may require alternative consequences. The teacher, school counselor, or the administrator will be notified to discuss the behavior with the student(s).

- Students who are physically hurtful or engaging in bullying behaviors will be referred directly to the principal.

ELEMENTARY SCHOOL DISCIPLINE MATRIX

It is the responsibility of every LCE student to know and follow school expectations. By doing so, you will be a productive and successful member of the learning community. Students who make poor choices will be held accountable for their actions.

This matrix lists the most common violations, but other forms of behavior may also result in discipline. California State Law provides that a student may be disciplined, suspended and/or recommended for expulsion based on committing the acts below (among others). Discipline may result from actions related to a school activity or school attendance, including those that occur while on school grounds, while going to or coming from school, and during any school-sponsored activity. Behaviors reported to the principal will be handled on a case by case basis and will take into account the individual student's age, development, and length of time at the school.

Students confronted with any negative situation are expected to be safe, be responsible, and be respectful by:

- Walking away
- Immediately reporting the incident to a staff member
- Not engaging in unsafe activities.

Behavior Expectation	School Rule Based Upon CALIFORNIA EDUCATION CODE	1st Offense	2nd Offense	Severe or Repeated Violations
PHYSICAL CONTACT				
Be Safe	Students are not allowed to cause, attempt to cause, or threaten to cause physical injury to others or self. This includes but is not limited to: hitting, pushing, kicking, hair pulling, biting, touching, scratching, poking, and play fighting.	Review and reteach expectations. Possible loss of privileges. Document. Contact parent if necessary.	Review and reteach expectations. Loss of privileges. Document. Contact parent.	Review and reteach expectations. Referral to administration. Document in database. Contact parent. Possible SST Referral and BIP. Possible suspension.
DANGEROUS ACTIVITIES				

Be Safe	Students are not allowed to engage in dangerous activities including but not limited to: pushing, running in halls/unauthorized areas, chasing, jumping from equipment, and swinging objects.	Review and reteach expectations. Document. Contact parent if necessary.	Review and reteach expectations. Loss of privileges. Document. Contact parent.	Review and reteach expectations. Referral to administration. Document in database. Contact parent.
INAPPROPRIATE LANGUAGE				
Be Respectful	Students are not allowed to call each other names, tease, or use hurtful and/or unkind language. This includes profanity towards other students.	Review and reteach expectations. Document. Contact parent if necessary.	Review and reteach expectations. Loss of privileges. Document. Contact parent.	Review and reteach expectations. Referral to administration. Document in database. Contact parent.
INAPPROPRIATE LANGUAGE TOWARDS A STAFF MEMBER				
Be Respectful	Students are not allowed to use hurtful and/or unkind language or profanity towards or in reference to staff members (teachers, administrators, aides, cafeteria aides, volunteers, substitutes, etc.).	Review and reteach expectations. Referral to administration. Document. Contact parent if necessary.	Referral to administration. Possible suspension. Document in database. Contact parent.	Referral to administration. Possible suspension. SST referral and develop a BIP. Document in database. Contact parent.
DEFIANCE				
Be Respectful	Students must follow teachers' instruction, report to the designated area, accept consequences, maintain a positive attitude (appropriate tone of voice), accept "no" for an answer, and disagree appropriately.	Review and reteach expectations. Document. Contact parent if necessary.	Review and reteach expectations. Loss of privileges. Document. Contact parent.	Review and reteach expectations. Referral to administration. Possible suspension. Document in database. Contact parent.
SCHOOL OR PERSONAL PROPERTY				
Be Respectful	Students must always treat school and private property respectfully. Examples include but are not limited to: appropriate use of computers/keyboards/technology,	Review and reteach expectations. Document. Implement	Review and reteach expectations. Implement restorative	Review and reteach expectations. Referral to administration. Restorative justice,

	classroom supplies, restrooms, books, and furniture.	restorative justice project. Contact parent if necessary.	justice project. Loss of privileges. Document. Contact parent.	loss of privileges, and/or possible suspension. Document in database. Contact parent.
THEFT/STEALING				
Be Responsible	Students may not steal or attempt to steal school or private property. Students may not knowingly accept stolen property.	Review and reteach expectations. Implement restorative justice project. Document. Contact parent if necessary.	Review and reteach expectations. Implement restorative justice project. Loss of privileges. Document. Contact parent.	Review and reteach expectations. Referral to administration. Restorative justice, loss of privileges, and/or possible suspension. Possible SST referral. Contact parent.
BULLYING				
Be Respectful	<p>The definition of bullying <i>EC 48900 (r)</i> involves any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:</p> <ol style="list-style-type: none"> 1. Placing a reasonable pupil, or pupils in fear of harm to that pupil's or those pupils' person or property 2. Causing a reasonable pupil to experience a detrimental effect on his or her physical or mental health 3. Causing a reasonable pupil to experience substantial interference with his or her academic performance 	Review and reteach expectations. Referral to administration. Possible referral to counselor. Document in database. Contact parent.	Referral to administration. Referral to counselor. Loss of privileges and/or possible one to three-day suspension. Document in database. Contact parent.	Referral to administration. Possible one to five-day suspension. SST referral and develop a BIP. Contact parent.

	4. Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school			
ACADEMIC DISHONESTY				
Be Responsible	Academic dishonesty includes but is not limited to: cheating, copying from other sources (any Internet site), homework, turning in work done by parents, projects, tests, notes, using notes without permission, forging, altering or duplicating school or teacher documents or signatures, plagiarism and text messaging regarding test data or information	Review and reteach expectations. Credit loss for assignment/ test/ project. Document. Contact parent.	Review and reteach expectations. Credit loss for assignment/ test/ project. Loss of privileges. Possible parent/teacher conference. Document. Contact parent.	Review and reteach expectations. Loss of privileges. Referral to administration. Document in database. Possible SST referral. Contact parent.
ELECTRONIC DEVICES				
Be Responsible	Under direct supervision, students may bring personal electronic devices for instructional purposes. When electronic devices are found to be disruptive to the learning environment, they may be confiscated. <u>School not responsible for loss/ theft/ damage of personal electronic devices.</u>	Review and reteach expectations. Document. Contact parent if necessary.	Review and reteach expectations. Device confiscated to be picked up by the student at the end of the day. Document. Contact parent.	Review and reteach expectations. Device confiscated to be picked up by the parent at the end of the day. Document. Loss of device privileges (time to be determined). Contact parent.
INTERNET SAFETY				
Be Responsible; Be Safe	All students will adhere to the LCUSD Acceptable Use Policy.	Review and reteach expectations. Restorative justice implemented. Document. Contact parent if necessary.	Review and reteach expectations. Loss of privileges. Restorative justice implemented. Document.	Review and reteach expectations. Loss of privileges. Restorative justice implemented. Referral to administration. Document in database. Contact

			Contact parent.	parent.
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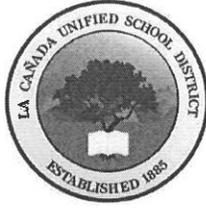
Definitions: SST - Student Study Team/Student Success Team, BIP: Behavior Intervention Plan

LCUSD STUDENT TECHNOLOGY & INTERNET USE AGREEMENT

The La Cañada Unified School District has established ethical standards for the use of technology and technological resources in its schools. LCUSD has taken steps to guide student use of the Internet, including installation of blocking software to limit access to inappropriate information. In addition to providing instruction, LCUSD continually monitors student use of technological information. ***Every student and parent in grades TK-6 are required to read, sign, and return the LCUSD Student Technology and Internet Use Agreement*** (available in the Aeries Parent Portal as well as on the district website under the Technology tab, Technology Forms link). Please carefully review the terms of these agreements with your child. Inappropriate use of technology will be dealt with under the terms of the district's and school's discipline policies.

PARENT COMMUNICATION / WEBSITE / SOCIAL MEDIA

In addition to classroom communication from your child's teacher and the periodic phone calls/emails from the school, our school utilizes a variety of media outlets to get the most current news and information delivered to parents and the community. You can stay up-to-date on school news and events by visiting lcelions.net. Our website contains a complete calendar of events, current announcements, teacher webpages, student and parent resources, monthly messages, and more! For real-time updates, you can also follow us on Twitter (@lcelions, @pcrpanthers, and @pcycougars), and Instagram (@lceblaney, @pcrpanthers, and @pcy_cougars).



ELEMENTARY SCHOOLS' PARENT AND STUDENT HANDBOOK SIGNATURE
FORM

Name of Student: _____

Teacher: _____ **Grade:** _____

Please read the Handbook and complete the following:

I have read and reviewed the ELEMENTARY SCHOOLS' PARENT AND STUDENT HANDBOOK. I have reviewed school rules, behavior expectations, and the Anti-Bullying Policy with my child.

Parent Signature: _____

I agree to follow the school rules, the behavior standards, and the Anti-Bullying Policy.

Student Signature: _____

13. HATE CRIME REPORTING PROCEDURES PURSUANT TO CHAPTER 1.2 OF TITLE 15 OF THE PENAL CODE

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

Following in this component is:

- Board Policy BP 5145.9

La Canada USD | BP 5145.9 Students

Hate-Motivated Behavior

The Governing Board affirms the right of every student to be protected from hate-motivated behavior. It is the intent of the Board to promote harmonious relationships that enable students to gain a true understanding of the civil rights and social responsibilities of people in our society. Behavior or statements that degrade an individual on the basis of his/her race, ethnicity, culture, heritage, gender, sexual orientation, physical/mental attributes, religious beliefs or practices shall not be tolerated.

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

(cf. 0450 - Comprehensive Safety Plan)

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

(cf. 5131.5 - Vandalism, Theft and Graffiti)

(cf. 5136 - Gangs)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 6141.6 - Multicultural Education)

Any student who feels that he/she is a victim of hate-motivated behavior shall immediately contact the principal or designee. If the student believes that the situation has not been remedied by the principal or designee, he/she may file a complaint in accordance with district complaint procedures.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the principal, Superintendent or designee, and law enforcement, as appropriate. Students demonstrating hate-motivated behavior shall be subject to discipline in accordance with Board policy and administrative regulation.

(cf. 3515.3 - District Police/Security Department)

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

(cf. 5144 - Discipline)

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

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

In addition, the district shall provide counseling and appropriate sensitivity training and diversity education for students exhibiting hate-motivated behavior. The district shall also provide counseling, guidance and support, as necessary, to those students who are the victims of hate-motivated behavior.

(cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall ensure that staff receive appropriate training to recognize hate-motivated behavior and methods for handling such behavior in appropriate ways.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The district shall provide age-appropriate instruction to help promote understanding of and respect for human rights.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 School safety plans

48900.3 Suspension for hate violence

48900.4 Suspension or expulsion for threats or harassment

PENAL CODE

422.55 Definition of hate crime

422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform Complaint Procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

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

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS & NATIONAL ASSOCIATION OF ATTORNEYS GENERAL PUBLICATIONS

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

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

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

WEB SITES

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

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

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

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

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

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

Policy LA CANADA UNIFIED SCHOOL DISTRICT

adopted: April 9, 2012 La Canada Flintridge, California

Hate Crime Reporting

There have been no incidents of hate-related crimes to report as of 1/15/2021.