



# SVUSD Comprehensive Safe Schools Plan 2016-2017

Tanya Krause

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# **SCOTTS VALLEY UNIFIED SCHOOL DISTRICT**

**44-75432**

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## **2016-17 Comprehensive Safe Schools Plan**

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## **The Comprehensive Safe Schools Plan**

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

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

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

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

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

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

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

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## School Descriptions and Mission Statements

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(School Year 2016-17) - Taken from 2015-16 SARC Repots

### **Middle School**

As a California Gold Ribbon School, a California Distinguished School and a National School to Watch, Scotts Valley Middle School is nestled in the foothills of Santa Cruz County, California. We have a diverse staff that is personally committed to guiding student transition between elementary and high school years through a program that maximizes each individual's academic and personal potential. In order to achieve this goal, we assume responsibility for working together cooperatively, and for creating a climate of honesty and respect.

### **High School**

Scotts Valley High School's mission is to provide an exemplary education that will prepare our students to thrive in a modern world.

Through our challenging and diverse curriculum, extra-curricular programs, and strong partnerships with the community, students are prepared to be skilled and literate members of both local and global societies. SVHS programs enable students to realize their full potential in intellectual, social, physical, and ethical development.

### **Vine Hill**

Vine Hill Elementary School has an excellent, dedicated staff that is caring, professional and talented. Our parents are highly involved in the school, and our wonderful students are motivated to learn. Together we provide excellence in education and turn visions of school improvement into realities. The Vine Hill School Community honors excellence in academics and high standards in conduct.

Vine Hill strives to create an environment that:

- cultivates character
- fosters academic excellence
- believes in the equal worth and dignity of all students
- allows students to become independent, responsible, life-long learners

In reaching our vision, Vine Hill plans to establish a learning environment that:

- maintains an enthusiasm for learning
- encourages personal and social responsibility
- promotes academic excellence
- enhances lifelong learning skills
- supports the development and strengthening of self-esteem and integrity
- upholds respect for the environment
- creates an appreciation for the world's interrelated inhabitants and cultures
- contributes to a rapidly changing and culturally diverse society

The Mission of Vine Hill School teachers, administrators and staff is to provide an environment that cultivates character, fosters academic excellence, and believes in the equal worth and dignity of all students. The Vine Hill team joins the parents and community in developing skills that will allow students to become independent, responsible, life-long learners.

The Vine Hill Vision of Excellence encompasses the establishment of a learning environment that maintains an enthusiasm for learning, encourages personal and social responsibility, promotes academic excellence, and enhances lifelong learning skills. This vision supports the development and strengthening of self-esteem and integrity, respect for the environment, appreciation for the world's interrelated inhabitants and cultures, and involvement in contributions to a rapidly changing and culturally diverse society.

### **Brook Knoll**

Brook Knoll, a California Distinguished School and Gold Ribbon Award winner, was constructed and opened its doors in 1964 as part of the Scotts Valley Unified School District. Incorporated in 1966, Scotts Valley is a quiet, family-oriented community located approximately 30 miles southwest of San Jose near the coastal resort of the Santa Cruz Mountains, where its inhabitants enjoy a mild climate and a safe, tight-knit community. Our Pre-K through 5th grade student population numbers approximately 550. The demographics reflect our community with approximately 71% of our student population being Caucasian, 9% identify as 2 or more races including Caucasian, 8% Asian, 12% Hispanic or Latino, 3% African-American, 3% Native American, Filipino and other. About 10% of our students are socio-economically disadvantaged, 15% of our students have identified disabilities, and about 3% are English learners. There are 25 classroom teachers, including general and special education, with additional resource support offered including OT, Speech, APE, School Psychologist, Counseling, Behavior Specialist, and a variety of enrichment teachers such as: art, PE, life lab, computer lab, and music.

Brook Knoll's mission is to ensure that each student is valued, challenged, and successful. We provide a high quality education for all students through a strong academic focus on common core state standards. We use a variety of teaching strategies continuously evolving through sustained staff development to engage our students in the 4 C's of the common core, including critical thinking, creativity, communication, and collaboration. We believe in student responsibility and engagement reinforced through regular assessments, effective homework and immediate feedback. We have high standards of performance and recognition programs for student effort and achievement. We believe in the development of student self-esteem through skill sets in cooperative learning strategies and positive problem solving so critical to student success now and in the long term as life-long learners. We embrace our mission through collaboration with our entire community including our school, our families and our community partners. With the support of our school community and the commitment of all staff members, Brook Knoll continues to make Adequate Yearly Progress each year and had continuous API growth with the last published API score of 921. The California Business for Education Excellence Foundation and Just for the Kids-California recognized the academic achievement of Brook Knoll students by placing Brook Knoll on their 2007-2012 Honor Roll for being in the top 6% of California Schools, based on test scores. For the 2015-2016 school year, Brook Knoll received the Gold Ribbon Award and had the highest achievement scores on the CAASPP.



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## Local Control Accountability Plan

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One of the guiding documents of SVUSD is the LCAP. It states the overarching goals of the district and describes actions steps, stakeholder engagement procedures, and funding sources. It also provides for the continuous evaluation and analysis of results. **This Comprehensive School Plan can be considered to fall under the LCAP umbrella.** The LCAP goal that covers school safety is Goal 4, which reads...

### 2016-17 LCAP Goal 4:

#### **SVUSD will provide a safe and engaging environment for students.**

The progress towards achieving this goal is described below (taken from 2016-17 LCAP). This includes:

1. LCAP Stakeholder engagement
2. Specific meeting dates and attendance
3. Identified Needs
4. Expected Annual Measurable Outcome
5. Annual Update: Actual Actions/Services in 2015-16
6. LCAP Reporting Metrics Reference

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### 1. LCAP Stakeholder Engagement

The engagement of stake holders has been a hallmark of the work of educating students in Scotts Valley Unified School District (SVUSD), under the leadership of the Board of Trustees and Superintendent Tanya Krause. A core belief of the leadership is that the best decisions are made when all who are affected by the decisions are involved in the process to reach decisions. To ensure our students are given the best educational experience possible, SVUSD has made engagement of stakeholders a standard. At the district level, stakeholders are involved in several ways. The Scotts Valley Educational Foundation (SVEF) includes many parents and community members to support school programs that the district could not otherwise provide. The leadership has committed to establishing oversight committees for the district's modernization work. Under the leadership of the superintendent, the annual strategic planning work includes representation from all parts of the community: Cabrillo College, Santa Cruz County Office of Education, the Scotts Valley Police Department, local political leaders, business leaders, and others. The LCAP review and revision are collaborative efforts spearheaded by the Director of Curriculum, Instruction, and Assessment and take place throughout the year. Engaging stakeholders in the planning of 2016-17 included leadership and site communication, DLAC, Students and staff, and the Community Advisory Committee; furthermore, this year SVUSD established a Parent Advisory Committee made up of stakeholders from various groups. Discussions surrounded metrics, goals and progress toward goals, and evaluation of actions and services.

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## **2. Meeting dates and attendance**

- 1) Leadership Team and Principal Meetings (weekly meetings of 7-15 people) Throughout year 2015-16
- 2) Sites: Staff Meetings and School Site Councils (4 schools) Throughout year 2015-16
- 3) Scotts Valley Educational Foundation (12 members) meetings throughout the year; formal input 10/28/2015
- 4) Student Services (Director) 11/6/2015 and 2/27/2016  
SVEA (Teacher Association) (7 participants) 3/10/2016 and 11/12/2015
- 5) Student Groups (8-25 students)
  - a. SVMS 1/12/2016
  - b. Vine Hill 1/21/2016
  - c. Brook Knoll 1/28/2016
  - d. SVHS 1/29/2016 and 2/1/2016
- 6) Tech Force (8 members) 1/14/2016
- 7) Curriculum and Technology Committee (12 members) 10/12/2015
- 8) DLAC (16 attendees) 2/3/2016
- 9) Parent Survey (152 responses) 3/6/2016
- 10) Professional Development Survey (all staff-57 responses) 3/10/2016
- 11) Community Advisory Committee (Board's Strategic Plan) (30 attendees) 3/25/2016
- 12) Parent Advisory Committee (7 attendees) 4/21/2016
- 13) Staff feedback (throughout year, culminating in posters with responses in April)

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## **3. Identified Needs**

- 1) To ensure a safe learning environment to maximize student learning by integrating age-appropriate programs to ensure safe and productive learning environments.
- 2) Increase participation in clubs, sports opportunities and other systems and community services.
- 3) Maintain or reduce chronic absentee rate by focusing on incentives and positive ways to keep students in school.
- 4) Increase the opportunities for parents, students and community members to provide input about school conditions.
- 5) Maintain positive certification and reserve for economic uncertainty at or above required level.
- 6) Maintain current levels of maintenance.

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#### 4. Expected Annual Measurable Outcomes:

- a) 100% of school facilities are maintained in good repair (Basic Services, 1). Metric: The Facility Inspection Tool (FIT) Education Code (EC) Section 17002(d)(1)
- b) The percentage of the cohort of students in Grades 5, 7, 9 and 11 reporting School Connectedness bi---annually will increase by 8% overall and by sub---group as self---identified in the survey. (School Climate 6, c). Metric: California Healthy Kids Survey (CHKS)
- c) The School Attendance Rates will maintain at 95% or greater. (School Climate 5,a) Metric: Annual P2 Attendance Report to the Board. d) The Chronic Truancy rate will decrease from 25% by 3%. (School Climate 5,a) Metric: Data Quest
- d) The number of students suspended will continue at no more than 2%. (School Climate 5,a) Metric: SARC; The number of students expelled will continue at no more than 1%. (School Climate 5,a) Metric: SARC
- e) Maintain or increase the number of clubs and students who participate in them on campuses Metric: SVHS report (46 clubs, 27 sports)
- f) Continue PBIS opportunities to engage teachers, students, parents and staff in the learning community and improving school climate Metric: PD calendar (2015-16=10 district meetings)
- g) Increase opportunities for parents to give input. (School Climate 8) Metric: Parent Surveys, common questions, committees
- h) Maintain or increase students who perform as expected in Healthy Fitness Zones (HFZ) Metric: Physical Fitness Test

## **5. Annual Update: Actual Actions/Services in 2015-16**

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Original Goal 8 from prior year LCAP: Strengthen school culture by integrating age-appropriate programs to ensure safe and productive learning environments.

### **Reported Actions:**

- Schools continued to support positive programs and incentives but are funded with site budgets.
- School climate goals were determined through the formation of PBIS. (Funding for release time; training provided by a Grant)
- Continue positive programs and incentives such as the kindness program and campaigns to support all students, including EL, LGBT, and other marginalized populations.
- Continued to review discipline plans in looking for alternatives to suspension at all sites
- “Unfrogettable” curriculum at elementary sites was implemented with positive results.
- School Resource Officer placed at the High school by SVPD.
- A second full time counselor was hired at the high school.
- Counseling was provided at the middle school and elementary schools.
  - a. i.e. pragmatics/social grouping, program support at elementary schools, such as during recess and other high risk times.
  - b. Continue providing social/emotional at the high school through contracted employee.
- Assistants were hired for Response to Intervention.
- A full time assistant principal was reinstated at the Middle School to support program implementation.
- Family Life curriculum will be updated in 2016-17 through the Health and Wellness Committee.

## 6. LCAP Reporting Metrics Reference

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For the purposes of completing the LCAP in reference to the state priorities under Education Code sections 52060 and 52066, the following shall apply:

- (a) “Chronic absenteeism rate” shall be calculated as follows:
  - (1) The number of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30) who are chronically absent where “chronic absentee” means a pupil who is absent 10 percent or more of the schooldays in the school year when the total number of days a pupil is absent is divided by the total number of days the pupil is enrolled and school was actually taught in the total number of days the pupil is enrolled and school was actually taught in the regular day schools of the district, exclusive of Saturdays and Sundays.
  - (2) The unduplicated count of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30).
  - (3) Divide (1) by (2).
- (b) “Middle School dropout rate” shall be calculated as set forth in California Code of Regulations, title 5, section 1039.1.
- (c) “High school dropout rate” shall be calculated as follows:
  - (1) The number of cohort members who dropout by the end of year 4 in the cohort where “cohort” is defined as the number of first-time grade 9 pupils in year 1 (starting cohort) plus pupils who transfer in, minus pupils who transfer out, emigrate, or die during school years 1, 2, 3, and 4.
  - (2) The total number of cohort members.
  - (3) Divide (1) by (2).
- (d) “High school graduation rate” shall be calculated as follows:
  - (1) The number of cohort members who earned a regular high school diploma [or earned an adult education high school diploma or passed the California High School Proficiency Exam] by the end of year 4 in the cohort where “cohort” is defined as the number of first-time grade 9 pupils in year 1 (starting cohort) plus pupils who transfer in, minus pupils who transfer out, emigrate, or die during school years 1, 2, 3, and 4.
  - (2) The total number of cohort members.
  - (3) Divide (1) by (2).
- (e) “Suspension rate” shall be calculated as follows:
  - (1) The unduplicated count of pupils involved in one or more incidents for which the pupil was suspended during the academic year (July 1 – June 30).
  - (2) The unduplicated count of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30).
  - (3) Divide (1) by (2).
- (f) “Expulsion rate” shall be calculated as follows:
  - (1) The unduplicated count of pupils involved in one or more incidents for which the pupil was expelled during the academic year (July 1 – June 30).
  - (2) The unduplicated count of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30).
  - (3) Divide (1) by (2).

01-13-15 [California Department of Education]

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

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### **Review**

The Comprehensive Safe Schools Plan will be part of SVUSDs continuous improvement cycle. The Plan will fall under the umbrella of the Local Control Accountability Plan and as such there will be an LCAP goal that addresses school and student safety.

Both the LCAP and the Safety Plan must be reviewed and approved by the Board of Trustees. The Safety Plan must be approved on or before March 1<sup>st</sup> of each year.

As part of the review process the following groups will have the opportunity to review and provide feedback on the Safety Plan:

- School Advisory Councils (1 per site, 4 total)
- District Safety Committee
- District Leadership Team
- Local Law Enforcement

### **Evaluation**

As part of the continuous improvement cycle, the goals set out in each Safety Plan will be monitored throughout the year by identified school staff. Analysis of progress towards previous goals will be incorporated into the current year's updated Plan.

### **Amendment**

All changes to the Safety Plan will be based on stakeholder feedback and analysis of school site data. Changes will be incorporated in the yearly plan update.

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## **Section H: A Safe and Orderly School Environment Conducive to Learning**

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### **Data Review**

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In identifying school programs and facilities in need of improvement for safety purposes the following sets of data were reviewed:

1. Healthy Kids Survey (longitudinal and nearby district comparison) – Middle/High schools  
- See Appendix A for selected summary results from full report
2. Site Suspension/Expulsion data – all sites
3. Positive Behavior Interventions and Supports (PBIS) data – High School only
4. High School Completion
5. Attendance - SARB referral data – all sites
6. Facility Improvement Data – from SARC reports – all sites

## 1. SVUSD Healthy Kids Survey 2014-15

### Summary of Key Indicators – w/ local district comparison

#### *Key Indicators of School Climate and Student Well-Being*

	Gr. 7%	SLV	SC	Gr. 9	SLV	SC	Gr.11	SLV	SC
<b>School Engagement and Supports</b>	<b>62</b>	62	58	<b>50</b>	49	47	<b>59</b>	51	50
School									
Academic motivation (high)	<b>39</b>	36	37	<b>21</b>	23	25	<b>28</b>	20	25
Truant more than a few times <sup>†</sup>	<b>2</b>	1	2	<b>1</b>	1	7	<b>11</b>	15	10
Caring adult relationships (high)	<b>33</b>	34	40	<b>27</b>	23	25	<b>42</b>	31	35
High expectations (high)	<b>47</b>	55	50	<b>38</b>	38	37	<b>47</b>	35	43
Meaningful participation (high)	<b>16</b>	21	19	<b>13</b>	9	11	<b>15</b>	11	12
<b>School Safety and Substance Use</b>									
School perceived as very safe or safe	<b>67</b>	66	70	<b>73</b>	66	62	<b>80</b>	73	68
Experienced any harassment or bullying <sup>†</sup>	<b>43</b>	47	31	<b>36</b>	46	35	<b>29</b>	39	29
Had mean rumors or lies spread about you <sup>†</sup>	<b>45</b>	48	36	<b>41</b>	39	34	<b>36</b>	37	34
Been afraid of being beaten up <sup>†</sup>	<b>12</b>	27	14	<b>8</b>	17	12	<b>3</b>	7	7
Been in a physical fight <sup>†</sup>	<b>12</b>	20	13	<b>9</b>	13	10	<b>4</b>	4	4
Seen a weapon on campus <sup>†</sup>	<b>12</b>	20	19	<b>17</b>	26	14	<b>13</b>	21	12
Been drunk or “high” on drugs at school, ever	<b>1</b>	3	2	<b>12</b>	15	12	<b>18</b>	20	24
<b>Mental and Physical Health</b>									
Current alcohol or drug use <sup>‡</sup>	<b>6</b>	6	8	<b>23</b>	32	28	<b>45</b>	50	49
Current binge drinking <sup>‡</sup>	<b>1</b>	1	2	<b>5</b>	10	10	<b>25</b>	21	27
Very drunk or “high” 7 or more times	<b>0</b>	2	1	<b>8</b>	17	14	<b>27</b>	32	30
Current cigarette smoking <sup>‡</sup>	<b>2</b>	0	1	<b>4</b>	8	5	<b>12</b>	14	10
Experienced chronic sadness/hopelessness <sup>†</sup>	<b>25</b>	20	21	<b>29</b>	33	30	<b>27</b>	34	30
Considered suicide <sup>†</sup>	<b>na</b>	na	na	<b>15</b>	15	15	<b>17</b>	18	21

Notes: Cells are empty if there are less than 25 respondents.

<sup>†</sup>Past 12 months; <sup>‡</sup>Past 30 days; na—Not asked of middle school students.



## 2. Suspension/Expulsion Data

### Middle School

Rate	School			District			State		
	2013-14	2014-15	2015-16	2013-14	2014-15	2015-16	2013-14	2014-15	2015-16
Suspensions	3.3	3.3	2.2	1.8	1.8	2.1	4.4	3.8	3.7
Expulsions	0.2	0.0	0.0	0.0	0.0	0.0	0.1	0.1	0.1

#### 2015-16 STUDENT SUSPENSION DATA – MIDDLE SCHOOL

Suspensions by Date (multiple dates indicate multiple offenders)

a. (1) Caused, attempted to cause, threatened to cause, physical injury to another person.	1/26/2016			
a. (2) Willfully used force or violence upon another person, except in self defense.	2/12/2016	4/28/2016		
b. Possessed, sold or otherwise furnished any firearm, knife, explosive or other dangerous object.	3/2/2016			
c. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of any controlled substance.	2/18/2016 2/18/2016	2/25/2016		
d. Committed or attempted to commit robbery or extortion.	3/3/2016			
e. Unlawfully possessed, offered, arranged or negotiated to sell any drug paraphernalia.	4/22/2016			
f. Disrupted school activities or otherwise defied the valid authority or school officials or school personnel.	1/21/2016	1/27/2016	2/19/2016	5/13/2016
g. Engaged in an act of bullying	2/18/2016			

### High School

Rate	School			District			State		
	2013-14	2014-15	2015-16	2013-14	2014-15	2015-16	2013-14	2014-15	2015-16
Suspensions	1.8	2.2	3.6	1.8	1.8	2.1	4.4	3.8	3.7
Expulsions	0.0	0.0	0.1	0.0	0.0	0.0	0.1	0.1	0.1

#### 2015-16 STUDENT SUSPENSION DATA – HIGH SCHOOL

Suspensions by Date (multiple dates indicate multiple offenders)

a. (1) Caused, attempted to cause, threatened to cause, physical injury to another person.	6-3-16	5-9-16	12-18-15 12-18-15	12-16-16 12-16-16	11-18-15 11-18-15	
a. (2) Willfully used force or violence upon another person, except in self-defense.		5-9-16			11-18-15	
b. Possessed, sold or otherwise furnished any firearm, knife, explosive or other dangerous object.	3-30-16	1-29-16				
c. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of any controlled substance.	6-1-16	4-25-16 4-22-16	1-29-16	12-15-16	12-4-15 12-4-15	10-16-15 x 5
d. Caused or attempted to cause damage to school property or private property.	3-17-16					

e. Committed an obscene act or engaged in habitual profanity or vulgarity.	3-28-16					
f. Unlawfully possessed, offered, arranged or negotiated to sell any drug paraphernalia.	5-17-16	3-30-16	10-22-16 10-22-16			
g. Engaged in an act of bullying.	3-28-16	3-16-16				

### Vine Hill

Rate	School			District			State		
	2013-14	2014-15	2015-16	2013-14	2014-15	2015-16	2013-14	2014-15	2015-16
Suspensions	.7	0.7	0.7	1.8	1.8	2.1	4.4	3.8	3.7
Expulsions	0	0.0	0.0	0.0	0.0	0.0	0.1	0.1	0.1

### 2015-16 STUDENT SUSPENSION DATA – VINE HILL

Suspensions by Date (multiple dates indicate multiple offenders)		
a.(1) Caused, attempted to cause, threatened to cause, physical injury to another person.	9/28/15	12/11/15
b.Possessed, sold or otherwise furnished any firearm, knife, explosive or other dangerous object.	5/31/16	
c. Committed or attempted to commit robbery or extortion.	5/25/16	

### Brook Knoll

Rate	School			District			State		
	2013-14	2014-15	2015-16	2013-14	2014-15	2015-16	2013-14	2014-15	2015-16
Suspensions	1.2	0.4	0.9	1.8	1.8	2.1	4.4	3.8	3.7
Expulsions	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.1	0.1

### 2015-16 STUDENT SUSPENSION DATA – BROOK KNOLL

a. (1) Caused, attempted to cause, threatened to cause, physical injury to another person.	9/16/15			10/23/15	10/28/15
a. (2)Willfully used force or violence upon another person, except in self defense.	9/16/15	8/27/15	10/1/15		10/28/15
g. Caused or attempted to cause damage to school property or private property.				10/23/15	10/28/15
l. Disrupted school activities or otherwise defied the valid authority or school officials or school personnel.	9/16/15		10/1/15	10/23/15	10/28/15

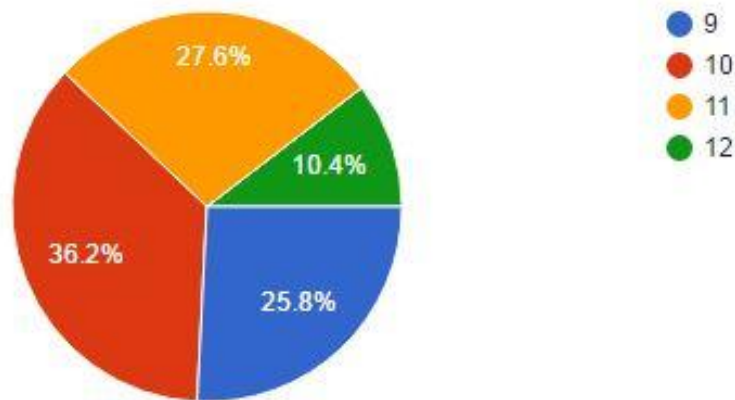
### 3. PBIS referral data – High School only

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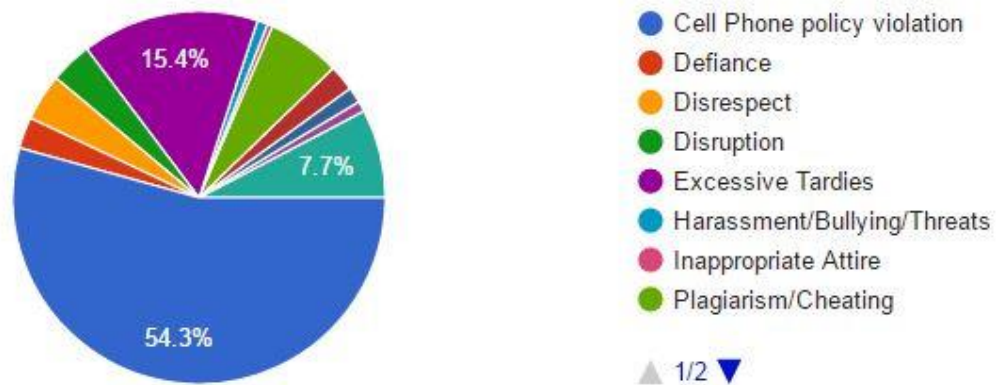
Positive Behavior Interventions and Supports is a multi-tiered behavior intervention system mandated by law. It asks as a parallel system to the district's Response to Intervention model which focuses on academic support.

The program is still in the 1<sup>st</sup> year of implementation. The high school has development a new referral data tracking system as part of the requirements of the program. Below are summary highlights from the Fall semester of 2016 at the high school. In response to last year's pilot data and the data below the high school updated its cell phone and tardy policies.

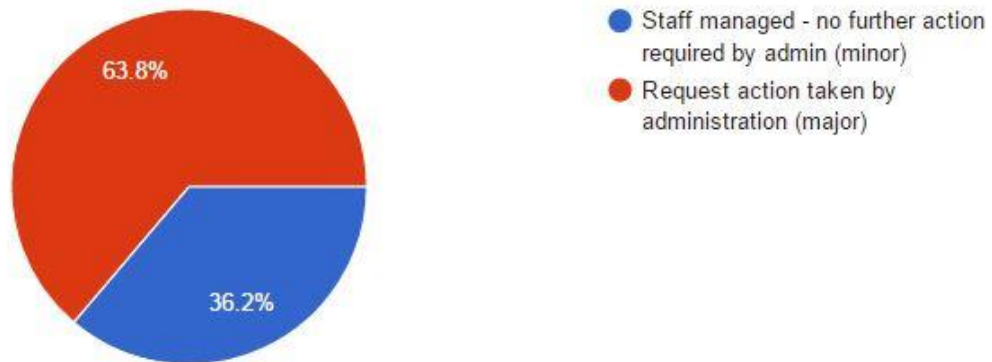
Grade (221 responses)



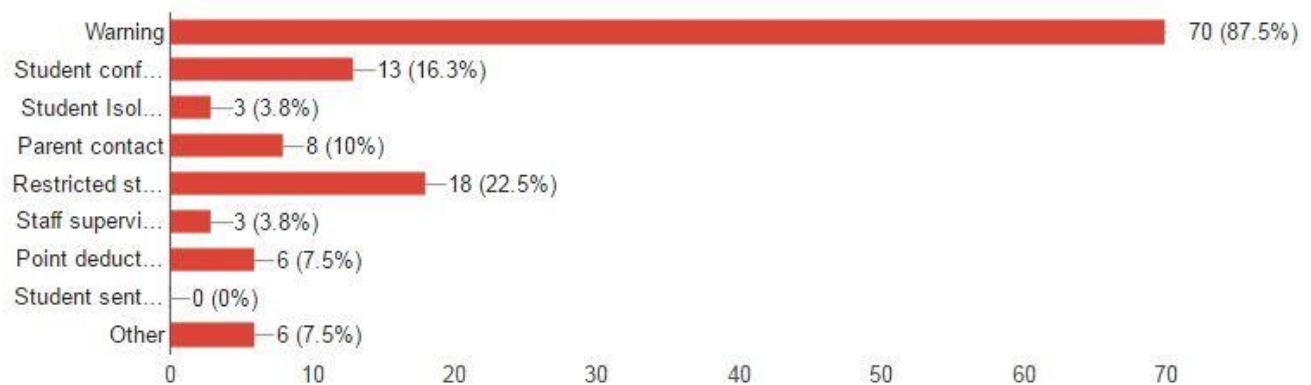
Misbehavior (221 responses)



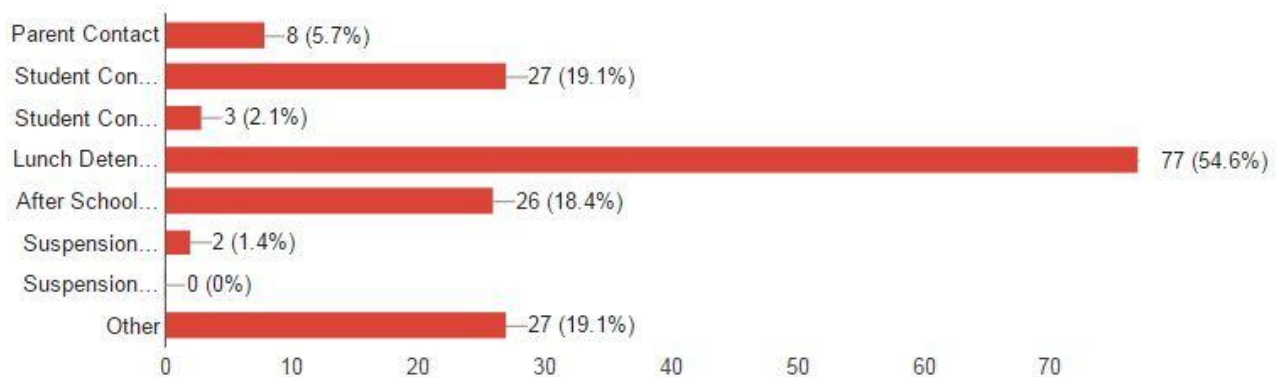
## Staff action taken (221 responses)



## Staff Interventions Attempted (80 responses)



## Action requested (141 responses)



## 4. High School Completion

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– From 2016-17 SARC Reports

Indicator	School			District			State		
	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15
Dropout Rate	1.1	0.6	0.6	1.1	0.6	0.6	11.4	11.5	10.7
Grad Rate	97.8	97.7	98.8	97.8	97.7	98.8	80.4	80.9	82.2

## 5. Attendance Data

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### SARB Referrals 2013-current

Date	Age/ Grade	Referring School
10/17/13	13/8	Scotts Valley Middle
10/17/13	14/8	Scotts Valley Middle
1/16/14	12/6	SV Middle
3/20/14	14/8	Scotts Valley Middle
4/17/14	13/7	SLV Middle
11/20/14	16/10	Scotts Valley High
1/15/15	9/5	Vine Hill Elementary
1/15/15	14/8	Scotts Valley Middle

Date	Age/ Grade	Referring School
1/15/15	12/6	Scotts Valley Middle
2/19/15	12/6	Scotts Valley Middle
2/19/15	15/9	Scotts Valley High
3/19/15	16/10	Scotts Valley High
4/21/16	14/8	Scotts Valley Middle
12/15/16	9/4	Vine Hill Elementary
12/15/16	16/10	Scotts Valley High
1/26/17	7/1	Vine Hill Elementary

## **6. Facility Improvement Reports**

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### **School Facility Conditions and Planned Improvements – From 2016-17 SARC Reports**

#### **Middle School**

Scotts Valley Middle School takes pride in the safety and cleanliness of our school facility. Our custodial staff consists of one daytime facilities specialist, and one evening facilities specialist. These facilities specialists are responsible for and take pride in keeping a clean, beautiful campus for all. Aside from their janitorial responsibilities they also perform routine maintenance tasks.

Volunteer work days have greatly improved the appearance and climate of our school. Parents and community organizations participate in weekend “clean-up” days providing improvements such as hooks for backpacks outside each classroom, landscaping, and repairing picnic tables.

We have an active Safety Committee that reviews safety plans, procedures, and provides safety education to our staff. We have a comprehensive Safe School Plan in place. Regular earthquake, fire and lockdown drills as well as teacher-led discussions regarding emergency procedures have helped to insure that Scotts Valley Middle School staff and students are well prepared to react in a manner that promotes safety for everyone. Each campus has an annual safety inspection performed by an external agency to assist us in providing safe facilities.

District maintenance personnel attend to maintenance needs at each campus on an ongoing basis, with service requests being managed through a web-based work order system. To assist in the effort to ensure clean, safe and functional facilities, the district uses a facility survey instrument developed by the State of California Office of Public School Construction and conducts annual self- inspections, recording the results of the inspection on the survey document. Below is more specific information about the school and the efforts made to ensure that students and staff are provided with a clean, safe and functional learning environment.

**Age of the School Buildings:** Scotts Valley Middle School has 23 classrooms, a gym and two locker rooms. The administrative wing, built in 1941 also houses a library, a small multi-purpose room and a computer lab. Nine of the classrooms and the locker rooms are portables. Of these portables, one is also a computer lab. The permanent classroom buildings and the gymnasium were constructed in the 1950’s. The campus is situated on a small parcel of approximately 9 acres. The district makes every effort to meet the challenges of maintaining the aging facilities at Scotts Valley Middle School.

**Cleaning Process and Schedule:** The district has adopted cleaning standards. The principal works regularly with the custodial staff to develop and adjust cleaning schedules to ensure a clean, safe campus.

**Maintenance and Repair:** District maintenance personnel make every effort to ensure that the repairs necessary to keep the school in good repair and working order are completed in a timely manner. Safety issues are given the highest priority.

### School Facility Good Repair Status – Middle School

System Inspected	Repair Status			Repair Needed and Action Taken or Planned
	Good	Fair	Poor	
<b>Systems:</b> Gas Leaks, Mechanical/HVAC, Sewer	X			
<b>Interior:</b> Interior Surfaces	X			
<b>Cleanliness:</b> Overall Cleanliness, Pest/ Vermin Infestation	X			Clutter in office
<b>Electrical:</b> Electrical	X			
<b>Restrooms/Fountains:</b> Restrooms, Sinks/ Fountains	X			Boys/Girls restroom: cold water only Room 8: no water; will be remodeled
<b>Safety:</b> Fire Safety, Hazardous Materials	X			
<b>Structural:</b> Structural Damage, Roofs			X	Pavillion: not safe in major Earthquake
<b>External:</b> Playground/School Grounds, Windows/ Doors/Gates/Fences	X			

### Overall Facility Rating

Overall Rating	Exemplary	Good	Fair	Poor
		X		

### High School

Scotts Valley High School takes pride in the safety and cleanliness of our school facility. All classrooms are attractive, comfortable and have adequate lighting. Our custodial staff consists of one daytime facilities specialist, and one evening facilities specialist. These facilities specialists are responsible for and take pride in keeping a clean beautiful campus for all. Aside from their janitorial responsibilities they also perform routine maintenance tasks.

We have an active Safety Committee that reviews safety plans, procedures, and provides safety education to our staff. We have a comprehensive Emergency Action Plan in place and drills are routinely held. Each campus has an annual safety inspection performed by an external agency to assist us in providing safe facilities.

District maintenance personnel attend to maintenance needs at each campus on an ongoing basis, with service requests being managed through a web-based work order system, called School Dude. To assist in the effort to ensure clean, safe and functional facilities, the district uses a facility survey instrument developed by the State of



California Office of Public School Construction and conducts annual self inspections, recording the results of the inspection on the survey document. Below is more specific information about the school and the efforts made to ensure that students and staff are provided with a clean, safe and functional learning environment.

Age of the School Buildings: Scotts Valley High School opened in 1999-2000 and currently has 39 classrooms, athletic facilities, a student union that serves as a multipurpose room, a kitchen, a gymnasium and an administrative building. Seven of the classrooms and the weight room are portables.

Cleaning Process and Schedule: The district has adopted cleaning standards. The principal works daily with the custodial staff to develop and adjust cleaning schedules to ensure a clean, safe campus.

Maintenance and Repair: District maintenance personnel make every effort to ensure that the repairs necessary to keep the school in good repair and working order are completed in a timely manner. Safety issues are given the highest priority.

#### School Facility Good Repair Status – High School

System Inspected	Repair Status			Repair Needed and Action Taken or Planned
	Good	Fair	Poor	
<b>Systems:</b> Gas Leaks, Mechanical/HVAC, Sewer	X			Multi-Purpose Room: No heat, seven units out.
<b>Interior:</b> Interior Surfaces	X			Student Store: Leak from window / wall wet
<b>Cleanliness:</b> Overall Cleanliness, Pest/ Vermin Infestation	X			E102 Art: Mouse droppings in corner
<b>Electrical:</b> Electrical	X			E101: Lighting fixture loose
<b>Restrooms/Fountains:</b> Restrooms, Sinks/ Fountains	X			C6 Electrical Room: Electrical has no fan
<b>Safety:</b> Fire Safety, Hazardous Materials	X			
<b>Structural:</b> Structural Damage, Roofs		X		C509: Gutter damage causing rust leaks on support poles Weight Room: Floor has spots with sag because of dropped weights
<b>External:</b> Playground/School Grounds, Windows/ Doors/Gates/Fences	X			Student Store: Leak from window / wall wet

#### Overall Facility Rating

Overall Rating	Exemplary	Good	Fair	Poor
		X		

## Vine Hill

Vine Hill School takes pride in the safety and cleanliness of our school facility. All classrooms are attractive, comfortable and have adequate lighting. Our custodial staff consists of one daytime facilities specialist, and one half time evening facilities specialist. These facilities specialists are responsible for and take pride in keeping a clean, beautiful campus for all. Aside from their janitorial responsibilities they also perform routine maintenance tasks.

The campus has a number of features beyond the classrooms. The school maintains an ADA accessible outdoor Life Lab to provide experiential learning opportunities for all students. There is an outdoor amphitheater large enough to hold the entire student body for assemblies and events. There are three distinct playground areas: a kindergarten only area; a playground area containing play structures; and an area containing basketball and tetherball courts and a baseball diamond.

We have an active Safety Committee that reviews safety plans, procedures, and provides safety education to our staff. We have a comprehensive Emergency Action Plan in place and drills are routinely held. Recesses and lunch periods are staggered to limit the number of students on the playground thus ensuring more effective supervision of students. The campus is lit with motion sensor devices, and any graffiti is removed immediately. Each campus has an annual safety inspection performed by an external agency to assist us in providing safe facilities.

District maintenance personnel attend to maintenance needs at each campus on an ongoing basis, with service requests being managed through a web-based work order system. To assist in the effort to ensure clean, safe and functional facilities, the district uses a facility survey instrument developed by the State of California Office of Public School Construction and conducts annual self- inspections, recording the results of the inspection on the survey document. Below is more specific information about the school and the efforts made to ensure that students and staff are provided with a clean, safe and functional learning environment.

Age of the School Buildings: Built in 1959, Vine Hill has 25 classrooms, a library and a computer lab. Eight of the classrooms are portables. The permanent buildings were modernized in 1995.

Cleaning Process and Schedule: The district has adopted cleaning standards. The principal works daily with the custodial staff to develop and adjust cleaning schedules to ensure a clean, safe campus. All restrooms are checked throughout the day for cleanliness and adequate supplies. In good weather, when students eat lunch outside, lunch tables and the immediate grounds are washed down daily. Vine Hill implements a recycling program in the classrooms and during lunch.

Maintenance and Repair: District maintenance personnel make every effort to ensure that the repairs necessary to keep the school in good repair and working order are completed in a timely manner. Safety issues are given the highest priority.

### School Facility Good Repair Status – Vine Hill

System Inspected	Repair Status			Repair Needed and Action Taken or Planned
	Good	Fair	Poor	
<b>Systems:</b> Gas Leaks, Mechanical/HVAC, Sewer	X			

<b>Interior:</b> Interior Surfaces	X			
<b>Cleanliness:</b> Overall Cleanliness, Pest/ Vermin Infestation	X			
<b>Electrical:</b> Electrical	X			Room 18: Lighting fixture loose
<b>Restrooms/Fountains:</b> Restrooms, Sinks/ Fountains	X			Boys Restroom: drinking fountain chipped, but safe and usable
<b>Safety:</b> Fire Safety, Hazardous Materials	X			
<b>Structural:</b> Structural Damage, Roofs	X			
<b>External:</b> Playground/School Grounds, Windows/ Doors/Gates/Fences	X			Kindergarten area needs paint outside wall

#### Overall Facility Rating

Overall Rating	Exemplary	Good	Fair	Poor
	X			

## Brook Knoll

Brook Knoll School takes pride in the safety and cleanliness of our school facility. Routine upkeep (litter pick-up, campus beautification) is a joint effort involving the entire school community of students, staff and parents. Volunteer work days have greatly improved the appearance and climate of our school. We have an active Safety Committee that reviews safety plans, procedures, and provides safety education to our staff. We have a comprehensive Emergency Action Plan in place and drills are routinely held. In addition to our biannual safety self-evaluation process, our campus has an annual safety inspection performed by an external agency to assist us in providing safe facilities. Our custodial staff consists of one daytime facilities specialist, one half time evening facilities specialist, as well as the district maintenance crew. These facilities specialists are responsible for and take pride in keeping a clean beautiful campus for all. Aside from their janitorial responsibilities they also perform routine maintenance tasks. District maintenance personnel attend to maintenance needs at each campus on an ongoing basis, with service requests being managed through a web-based work order system. To assist in the effort to ensure clean, safe and functional facilities, the district uses a facility survey instrument developed by the State of California Office of Public School Construction and conducts annual self inspections, recording the results of the inspection on the survey document. Below is more specific information about the school and the efforts made to ensure that students and staff are provided with a clean, safe and functional learning environment.

Age of the School Buildings: Built in 1964, Brook Knoll has 14 permanent classrooms, and an administrative wing which also houses both a library and a computer lab. Twelve of the classrooms are portables. The permanent buildings were modernized during the 2000-2001 academic year.

**Cleaning Process and Schedule:** The district has adopted cleaning standards. The principal works daily with the custodial staff to develop and adjust cleaning schedules to ensure a clean, safe campus.

**Maintenance and Repair:** District maintenance personnel make every effort to ensure that the repairs necessary to keep the school in good repair and working order are completed in a timely manner. Safety issues are given the highest priority.

**Completed improvements:** Storage facilities (such as: closets, cargo containers, sheds, etc) have all been emptied and reorganized to allow proper and efficient storage of materials, equipment, furniture, and resources. This has allowed staff to remove items that may have been stored in the classroom which could cause clutter or unsafe conditions. All classrooms have been outfitted with appropriate wire covers on the floor, non-curriculum related appliances have been removed, and proper stepladders are now kept in each classroom. Dead trees have been removed from campus and the property perimeter and the quad trees were cut down to avoid the possibility of being a safety hazard in inclement weather. Rain gutters and downspouts have been repaired and altered to allow for proper water run-off. Drain pipes have been cleared of all clogs and debris, and several asphalt and cement sidewalk areas have been regraded and/or replaced entirely to encourage proper water flow and avoid build-up or water damage. Classroom roofs have had all leaks repaired, custom covers have been installed above heater-a/c units to address design flaws that were encouraging water build-up. New drains have been installed in the quad to avoid flooding. Additional retaining walls have been installed around the sand playgrounds and around landscape areas with ground cover, and along the edge of the property where it meets the neighborhood road. Bio-hazard bags were purchased and additional sharps containers have been obtained. Kitchen knives have been properly sharpened and are now kept in a proper knife block. Custodial and office staff are now included in safety meetings.

#### **School Facility Good Repair Status – Brook Knoll**

<b>System Inspected</b>	<b>Repair Status</b>			<b>Repair Needed and Action Taken or Planned</b>
	<b>Good</b>	<b>Fair</b>	<b>Poor</b>	
<b>Systems:</b> Gas Leaks, Mechanical/HVAC, Sewer	X			
<b>Interior:</b> Interior Surfaces	X			
<b>Cleanliness:</b> Overall Cleanliness, Pest/ Vermin Infestation	X			Library storage: Clutter
<b>Electrical:</b> Electrical	X			
<b>Restrooms/Fountains:</b> Restrooms, Sinks/ Fountains	X			Room 4 RSP Learning Center: No water in faucet
<b>Safety:</b> Fire Safety, Hazardous Materials	X			
<b>Structural:</b> Structural Damage, Roofs	X			Portable 27: No hot water on faucet, knob gone. Roof Leaks, replace Portable 28: Roof Leaks, replace
<b>External:</b> Playground/School Grounds, Windows/ Doors/Gates/Fences	X			

**Overall Facility Rating**

Overall Rating	Exemplary	Good	Fair	Poor
	X			

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## Component 1: People and Programs (the school climate)

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**Vision:** SVUSD maintains an emotionally and socially safe learning environment where our highly qualified staff have the skills and the resources to guide and support all students to achieve their highest academic potential.

**Goal:** SVUSD will implement programs, train teachers, and instruct students that support the safety and social/emotional health of all students.

### Strategy A

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1) **Objective:** Integrate age-appropriate social/emotional health programs to ensure safe productive learning environments.

2) **Action Steps:**

- a) Develop a district wide, K-12, multi-year social/emotional support matrix that shows the grade level, topic addressed, and program delivery method for the pre-existing programs.
  - i) Matrix template sample below. 'X' would denotes active program
  - ii) Supplemental documentation required to describe specific program details

Topic	K	1	2	3	4	5	6	7	8	9	10	11	12
Bullying Prevention			X	X	X	X	X	X	X	X	X		
Sexual Harassment				X		X		X		X		X	
Violence Prevention					X	X		X		X	X		
Drug Abuse Prevention							X		X	X		X	X
Digital Safety				X		X		X		X		X	X
Positive Behavior	X	X	X	X	X	X	X	X	X	X	X	X	X
Reproductive Health						X		X	X	X			
Conflict Mediation	X		X		X		X		X		X		X
etc.													

- b) Review topic coverage by presenting matrix and gathering information from stakeholders to identify gaps for continuous improvement.
  - i) Include site specific analysis of Healthy Kid Survey Data (longitudinal and local district comparison)
- c) Develop an improvement plan to address feedback and present to stakeholder groups.
- d) Final draft to be included in Comprehensive Safety Plan review process of the 2017-18 school year.

### **3) Resources**

- a) Coordination between site administrators, staff members, the District Office, and lead person.
- b) Available time at local Board meetings, local site advisory council meetings, etc.
- c) Implementation of improvement plan will be dependent upon available funds, access to students, and availability of qualified staff.

### **4) Lead Persons**

- a) Sharlene Ames - SVUSD Director of Student Services
- b) Michael Hanson - SVHS Assistant Principal
- c) Tracey Bosso - SVMS Assistant Principal
- d) Julie Ebert - Vine Hill Principal

### **5) Evaluation**

- a) Review program coverage and continuous improvement plan regularly as part of the Comprehensive Safety Plan review process.

## **Strategy B**

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- 1) **Objective:** Complete roll-out of multi-tiered behavioral intervention program, Positive Behavioral Interventions and Support. This process is on-going with expected completion of Tier 3 in 2018-19.

### **2) Action Steps**

- a) Tier 1 teams have finished their training. By the end of the 2016-17 school year each school site will complete implementation of Tier 1.
- b) Tier 2 training begins in the spring of 2017. Expected program roll-out completion in spring of 2018.
  - i) Identify and train Tier 2 teams.
  - ii) Develop or align district wide procedures to include specified interventions.
  - iii) Put interventions and supports in place
  - iv) Develop and maintain a continual program evaluation
  - v) Repeat steps i-iv for Tier 3 implementation

### **3) Resources**

- a) Training - including teacher and staff release time. Coordinated through the county office of education and funded by a grant

### **4) Lead Person**

- a) Sharlene Ames - SVUSD Director of Student Services

## 5) Evaluation

- a) Review PBIS regularly as part of the Comprehensive Safety Plan review process and as a more regular reporting to the school board, administrators, and advisory groups.

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## Component 2: Place (the physical environment)

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**Vision:** SVUSD maintains quality, modern facilities that adhere to the highest safety standards with learning environments that engage students and maximize their academic potential.

**Goal 1:** Complete the redevelopment construction of the Scotts Valley Middle School in a timely and effective manner that is minimally intrusive on student learning.

1. **Objective:** Timeline and action plan for construction have been developed and are continually being updated as necessitated by changes in the political, economic, and physical environment.
2. **Action Steps, Resources, Lead Persons, and Evaluation** have been extensively documented and are already a part of the public record. All details can be found on the SVUSD website.
  - a. <http://scottsvalley-ca.schoolloop.com/FacilityOverview>
  - b. <http://scottsvalley-ca.schoolloop.com/file/1346929884898/1468165973179/1579324722951012188.pdf>

**Goal 2:** Improve and maintain existing facility infrastructure to adhere to mandated safety codes and to anticipate and prevent safety hazards.

- 1) **Objective:** Train staff to identify safety hazards, respond to maintenance requests in an expedient way, and perform preventative maintenance as needed.
- 2) **Action Steps:**
  - a) Staff members participate in monthly 5 minute safety meetings during staff meeting time.
  - b) Staff members participate in and complete online safety trainings as identified as necessary by human resources department.
  - c) Each site identifies a Safety Committee member who regularly attends district led safety meetings and asks as a liaison between site and district.
  - d) Staff members complete bi-annual facility safety inspection on specific site work locations.
  - e) Safety and/or maintenance issues identified by the staff are inputted in SchoolDude.com and the Maintenance department prioritizes and addresses issues.
- 3) **Resources**
  - a) Keenan and Associates provided 5-min safety minutes and online training programs
  - b) Safety Committee organization, commitment, and execution.
  - c) Subscription to Schooldude.com
  - d) Availability of capable maintenance staff members
  - e) Availability of funds to address identified issues



#### 4) Lead Persons

- a) Safety Committee lead – Rudolph Ramirez, Chief Business Official
- b) Keenan contact – Carolyn Lewis, Human Resources Director
- c) Mike Smith, Director of Maintenance

#### 5) Evaluation

- a) Annual review of incident and workplace injury reports

### Status Update

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#### Site Safety issues addressed in the last year – 2016-17

Site	Safety Issue and Improvement Description	Resources (cost, hours, donation, etc.)	Improvement or repair?
SVHS	New walking lane painted onto main driveway for student egress	Maintenance	Improvement
SVHS	Replaced all exterior HID lights with LED lights. Brighter and much better color rendering.	Prop 39 money	Improvement
All Sites	Replaced all door safety mats	Safety money from Keenan	Repair
BK	Replaced all interior Fluorescent and exterior HID lights with LED lights. Brighter and much better color rendering. (Prop 39 money)	Prop 39 money	Improvement
BK, VH	Various repaving, root removal, drainage additions	Deferred maintenance	Both
BK, VH	Trim trees, remove downed trees	Maintenance	Repair

#### Safety Improvements planned for the next year – 2017-18

Site	Safety Issue and Planned Improvement Description	Resources (cost, hours, donation, etc.)	Improvement or repair?
SVMS	On going construction project to build new and/or refurbish existing school buildings and campus	Bond funds	Improvement
SVHS	Replace all interior Fluorescent lights with LED	Prop 39 money	Improvement

	lights. Brighter and much better color rendering.		
VH	Replace all interior Fluorescent lights with LED lights. Brighter and much better color rendering.	Prop 39 money	Improvement
SVHS	Divert underground spring and repair pavement on main entrance driveway	Deferred maintenance	Repair
SVHS	Repair/replace building gutters	Deferred maintenance	Repair

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## Section A: Child Abuse Reporting

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### Students

BP 5141.4(a)

### CHILD ABUSE PREVENTION AND REPORTING

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

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

*(cf. 1020 - Youth Services)*

*(cf. 5141.6 - School Health Services)*

*(cf. 6164.2 - Guidance/Counseling Services)*

### Child Abuse Prevention

The district's instructional program shall include age-appropriate and culturally sensitive child abuse prevention curriculum. This curriculum shall explain students' right to live free of abuse, include instruction in the skills and techniques needed to identify unsafe situations and react appropriately and promptly, inform students of available support resources, and teach students how to obtain help and disclose incidents of abuse.

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6143 - Courses of Study)*

The district's program also may include age-appropriate curriculum in sexual abuse and sexual assault awareness and prevention. Upon written request of a student's parent/guardian, the student shall be excused from taking such instruction. (Education Code 51900.6)

The Superintendent or designee shall, to the extent feasible, seek to incorporate community resources into the district's child abuse prevention programs and may use these resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

### Child Abuse Reporting

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

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

*(cf. 5145.7 - Sexual Harassment)*

Procedures for reporting child abuse shall be included in the district and/or school comprehensive safety plan. (Education Code 32282)

*(cf. 0450 - Comprehensive Safety Plan)*

## **CHILD ABUSE PREVENTION AND REPORTING (continued)**

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

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

### *Legal Reference:*

#### EDUCATION CODE

32280-32288 Comprehensive school safety plans

33195 Heritage schools, mandated reporters

33308.1 Guidelines on procedure for filing child abuse complaints

44252 Teacher credentialing

44691 Staff development in the detection of child abuse and neglect

44807 Duty concerning conduct of students

48906 Notification when student released to peace officer

48987 Dissemination of reporting guidelines to parents

49001 Prohibition of corporal punishment

51220.5 Parenting skills education

51900.6 Sexual abuse and sexual assault awareness and prevention

#### PENAL CODE

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

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

288 Definition of lewd or lascivious act requiring reporting

11164-11174.3 Child Abuse and Neglect Reporting Act

#### WELFARE AND INSTITUTIONS CODE

15630-15637 Dependent adult abuse reporting

#### CODE OF REGULATIONS, TITLE 5

4650 Filing complaints with CDE, special education students

#### UNITED STATES CODE, TITLE 42

11434a McKinney-Vento Homeless Assistance Act; definitions

#### COURT DECISIONS

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

### *Management Resources:*

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

Health Framework for California Public Schools, Kindergarten Through Grade Twelve

#### WEB SITES

California Attorney General's Office, Suspected Child Abuse Report Form:

[http://www.ag.ca.gov/childabuse/pdf/ss\\_8572.pdf](http://www.ag.ca.gov/childabuse/pdf/ss_8572.pdf)

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

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

U.S. Department of Health and Human Services, Child Welfare Information Gateway:

<https://www.childwelfare.gov/can>

Policy

adopted: November 13, 2007

Revised: 3/10; 11/10; 04/15

**SCOTTS VALLEY UNIFIED SCHOOL DISTRICT**

Scotts Valley, California

**CHILD ABUSE PREVENTION AND REPORTING****Definitions**

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

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

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

(cf. 5145.7 - *Sexual Harassment*)

*Child abuse or neglect* does not include:

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment (Penal Code 11165.6)

(cf. 3515.3 - *District Police/Security Department*)

3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian 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 injury caused by a school employee's use of force that is reasonable and necessary 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 a student (Education Code 49001)

(cf. 5131.7 - *Weapons and Dangerous Instruments*)

(cf. 5144 - *Discipline*)

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

## **CHILD ABUSE PREVENTION AND REPORTING (continued)**

5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by a student (Education Code 49001)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6145.2 - Athletic Competition)

6. Homelessness or classification as an unaccompanied minor (Penal Code 11165.15)

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

*Reasonable suspicion* means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse or neglect. However, *reasonable suspicion* does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect. (Penal Code 11166)

### **Reportable Offenses**

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

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

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

### **Responsibility for Reporting**

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

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, the report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report. (Penal Code 11166)

## **CHILD ABUSE PREVENTION AND REPORTING** (continued)

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

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

*(cf. 1240 - Volunteer Assistance)*

### **Reporting Procedures**

#### **1. Initial Telephone Report**

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

Santa Cruz County Child Protective Services  
1400 Emeline, Santa Cruz, CA 95060  
(831) 454-4222 (24 hour Hotline 877-505-3299)

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

#### **2. Written Report**

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

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

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

- a. The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter
- b. The child's name and address, present location, and, where applicable, school, grade, and class
- c. The names, addresses, and telephone numbers of the child's parents/guardians

## **CHILD ABUSE PREVENTION AND REPORTING (continued)**

- d. The name, address, telephone number, and other relevant personal information about the person who might have abused or neglected the child
- e. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information

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

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

### **3. Internal Reporting**

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

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

The principal so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and administrative regulation. At the mandated reporter's request, the principal may assist in completing and filing the necessary forms.

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

## **Training**

Within the first six weeks of each school year, the Superintendent or designee shall provide training on mandated reporting requirements to district employees and persons working on their behalf who are mandated reporters. Any school personnel hired during the school year shall receive such training within the first six weeks of employment. (Education Code 44691; Penal Code 11165.7)

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

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

The training shall include, but not necessarily be limited to, training in identification and reporting of child abuse and neglect. In addition, the training shall include information that failure to report an



## **CHILD ABUSE PREVENTION AND REPORTING (continued)**

incident of known or reasonably suspected child abuse or neglect as required by law is a misdemeanor punishable by imprisonment and/or a fine as specified. (Education Code 44691; Penal Code 11165.7)

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

### **Victim Interviews by Social Services**

Whenever the Department of Social Services or another government agency is investigating suspected child abuse or neglect that occurred within the child's home or out-of-home care facility, the student may be interviewed by an agency representative during school hours, on school premises. The Superintendent or designee shall give the student the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the student. (Penal Code 11174.3)

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

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

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

### **Release of Child to Peace Officer**

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

*(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)*

### **Parent/Guardian Complaints**

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

## **CHILD ABUSE PREVENTION AND REPORTING** (continued)

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

*(cf. 1312.1 - Complaints Concerning District Employees)*

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

*(cf. 1312.3 - Uniform Complaint Procedures)*

### **Notifications**

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

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

Before beginning employment, any person who will be a mandated reporter by virtue of his/her position shall sign a statement indicating that he/she has knowledge of the reporting obligations under Penal Code 11166 and will comply with those provisions. The signed statement shall be retained by the Superintendent or designee. (Penal Code 11166.5)

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

The Superintendent or designee also shall notify all employees that:

1. A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of his/her professional capacity or outside the scope of his/her employment. Any other person making a report shall not incur civil or criminal liability unless it can be proven that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)
2. If a mandated reporter fails to timely report an incident of known or reasonably suspected child abuse or neglect, he/she may be guilty of a crime punishable by a fine and/or imprisonment. (Penal Code 11166)

## **CHILD ABUSE PREVENTION AND REPORTING (continued)**

3. No employee shall be subject to any sanction by the district for making a report unless it can be shown that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11166)

Policy  
adopted: November 13, 2007  
Revised: 3/10; 11/10; 04/15

**SCOTTS VALLEY UNIFIED SCHOOL DISTRICT**

Scotts Valley, California

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## Section B: Disaster Procedures

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### Business and Noninstructional Operations

BP 3516(a)

### Emergencies and Disaster Preparedness Plan

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

The Superintendent or designee shall develop and maintain a disaster preparedness plan which details provisions for handling emergencies and disasters and which shall be included in the district's comprehensive school safety plan. (Education Code 32282)

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 3516.3 - Earthquake Emergency Procedure System)*

The Superintendent or designee shall also develop and maintain emergency plans for each school site.

In developing the district and school emergency plans, the Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators.

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

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

*(cf. 1330 - Use of School Facilities)*

School employees are considered disaster service workers and are subject to disaster service activities assigned to them. (Government Code 3100)

*(cf. 4112.3/4212.3/4312.3 - Oath or Affirmation)*

*(cf. 4119.3/4219.3/4319.3 - Duties of Personnel)*

Policy  
adopted: July 17, 2007

**SCOTTS VALLEY UNIFIED SCHOOL DISTRICT**  
Scotts Valley, California

**EMERGENCIES AND DISASTER PREPAREDNESS PLAN**

**Components of the Plan**

The Superintendent or designee shall ensure that district and school site plans address, at a minimum, the following types of emergencies and disasters:

1. Fire on or off school grounds which endangers students and staff

*(cf. 3516.1 - Fire Drills and Fires)*

2. Earthquake or other natural disasters

*(cf. 3516.3 - Earthquake Emergency Procedure System)*

3. Environmental hazards

*(cf. 3514 - Environmental Safety)*

*(cf. 3514.2 - Integrated Pest Management)*

4. Attack or disturbance, or threat of attack or disturbance, by an individual or group

*(cf. 3515 - Campus Security)*

*(cf. 3515.2 - Disruptions)*

*(cf. 5131.4 - Student Disturbances)*

5. Bomb threat or actual detonation

*(cf. 3516.2 - Bomb Threats)*

6. Biological, radiological, chemical, and other activities, or heightened warning of such activities

7. Medical emergencies and quarantines, such as a pandemic influenza outbreak

*(cf. 5141.22 - Infectious Diseases)*

The Superintendent or designee shall ensure that the district's procedures include strategies and actions for prevention/mitigation, preparedness, response, and recovery, including, but not limited to, the following:

1. Regular inspection of school facilities and equipment and identification of risks

*(cf. 3530 - Risk Management/Insurance)*

2. Instruction and practice for students and employees regarding emergency plans, including:

**EMERGENCIES AND DISASTER PREPAREDNESS PLAN** (continued) AR 3516(b)

- a. Training of staff in first aid and cardiopulmonary resuscitation
- b. Regular practice of emergency procedures by students and staff

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

- 3. Specific determination of roles and responsibilities of staff during a disaster or other emergency, including determination of:
  - a. The appropriate chain of command at the district and, if communication between the district and site is not possible, at each site
  - b. Individuals responsible for specific duties
  - c. Designation of the principal for the overall control and supervision of activities at each school during the emergency, including authorization to use his/her discretion in situations which do not permit execution of prearranged plans
  - d. Identification of at least one person at each site who holds a valid certificate in first aid and cardiopulmonary resuscitation
  - e. Assignment of responsibility for identification of injured persons and administration of first aid
- 4. Personal safety and security, including:
  - a. Identification of areas of responsibility for supervision of students
  - b. Procedures for evacuation of students and staff, including posting of evacuation routes
  - c. Procedures for release of students, including a procedure to release students when reference to the emergency card is not feasible

*(cf. 5141 - Health Care and Emergencies)*

*(cf. 5142 - Safety)*

- d. Identification of transportation needs, including a plan which allows bus seating capacity limits to be exceeded when a disaster or hazard requires students to be moved immediately to ensure their safety

*(cf. 3543 - Transportation Safety and Emergencies)*

- e. Provision of a first aid kit to each classroom
  - f. Arrangements for students and staff with special needs

## **EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)**

*(cf. 4032 - Reasonable Accommodation)*

*(cf. 6159 - Individualized Education Program)*

- g. Upon notification that a pandemic situation exists, adjustment of attendance policies for students and sick leave policies for staff with known or suspected pandemic influenza or other infectious disease

*(cf. 4161.1/4361.1 - Personal Illness/ Injury Leave)*

*(cf. 4261.1 - Personal Illness/Injury Leave)*

*(cf. 5113 - Absences and Excuses)*

*(cf. 6183 - Home and Hospital Instruction)*

### **5. Closure of schools, including an analysis of:**

- a. The impact on student learning and methods to ensure continuity of instruction
- b. How to provide for continuity of operations for essential central office functions, such as payroll and ongoing communication with students and parents/guardians

*(cf. 3516.5 - Emergency Schedules)*

### **6. Communication among staff, parents/guardians, the Board of Trustees, other governmental agencies, and the media during an emergency, including:**

- a. Identification of spokesperson(s)

*(cf. 1112 - Media Relations)*

- b. Development and testing of communication platforms, such as hotlines, telephone trees, and web sites

*(cf. 1113 - District and School Web Sites)*

- c. Development of methods to ensure that communications are, to the extent practicable, in a language and format that is easy for parents/guardians to understand
- d. Distribution of information about district and school site emergency procedures to staff, students, and parents/guardians

### **7. Cooperation with other state and local agencies, including:**

- a. Development of guidelines for law enforcement involvement and intervention
- b. Collaboration with the local health department, including development of a tracking system to alert the local health department to a substantial increase of student or staff absenteeism as indicative of a potential outbreak of an infectious disease

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

## **EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)**

8. Steps to be taken after the disaster or emergency, including:
  - a. Inspection of school facilities
  - b. Provision of mental health services for students and staff, as needed

*(cf. 6164.2 - Guidance/Counseling Services)*

Regulation  
approved: July 17, 2007

**SCOTTS VALLEY UNIFIED SCHOOL DISTRICT**  
Scotts Valley, California

### **Business and Noninstructional Operations**

AR 3516.2(a)

#### **Bomb Threats**

To maintain a safe and secure environment for district students and staff, the Superintendent or designee shall ensure that the district's emergency and disaster preparedness plan and/or each school's comprehensive safety plan includes procedures for dealing with bomb threats. He/she also shall provide training regarding the procedures to site administrators, safety personnel, and staff members who customarily handle mail, telephone calls, or email.

*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*  
*(cf. 4040 - Employee Use of Technology)*  
*(cf. 4131 - Staff Development)*  
*(cf. 4231 - Staff Development)*  
*(cf. 4331 - Staff Development)*

#### **Receiving Threats**

Any staff member receiving a telephoned bomb threat shall try to keep the caller on the line in order to gather information about the location and timing of the bomb and the person(s) responsible. To the extent possible, the staff member should also take note of the caller's gender, age, any distinctive features of voice or speech, and any background noises such as music, traffic, machinery, or voices.

If the bomb threat is received through the mail system or in writing, the staff member who receives it should handle the letter, note, or package as minimally as possible. If the threat is received through electronic means, such as email or text messaging, the staff member should not delete the message.

#### **Response Procedure**

The following procedure shall be followed when a bomb threat is received:



1. Any employee who receives a bomb threat shall immediately call 911 and also report the threat to the Superintendent or designee. If the threat is in writing, the employee shall place the message in an envelope and take note of where and by whom it was found.
2. Any student or employee who sees a suspicious package shall promptly notify the Superintendent or designee.
3. The Superintendent or designee shall immediately use fire drill signals and initiate standard evacuation procedures as specified in the emergency plan.

*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*  
*(cf. 3516.1 - Fire Drills and Fires)*

4. The Superintendent or designee shall turn off any two-way radio equipment which is located in a threatened building.

Law enforcement and/or fire department staff shall conduct the bomb search. No school staff shall search for or handle any explosive or incendiary device.

*(cf. 3515.3 - District Police/Security Department)*

No one shall reenter the threatened building(s) until the Superintendent or designee declares that reentry is safe based on law enforcement and/or fire department clearance.

*(cf. 3516.5 - Emergency Schedules)*

To the extent possible, the Superintendent or designee shall maintain communications with staff, parents/guardians, the Board of Trustees, other governmental agencies, and the media during the period of the incident.

*(cf. 1112 - Media Relations)*

Following the incident, the Superintendent or designee shall provide crisis counseling for students and/or staff as needed.

*(cf. 6164.2 - Guidance/Counseling Services)*

Any employee or student found to have made a bomb threat shall be subject to disciplinary procedures and/or criminal prosecution.

*(cf. 4118 - Suspension/Disciplinary Action)*  
*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*  
*(cf. 5131 - Conduct)*  
*(cf. 5131.7 - Weapons and Dangerous Instruments)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

Regulation  
approved: July 17, 2007  
revised: March 22, 2011

**SCOTTS VALLEY UNIFIED SCHOOL DISTRICT**  
Scotts Valley, California

**Fire Drills and Fires****Fire Drills**

The principal shall cause the fire alarm signal to be sounded at least once every month. (Education Code 32001)

The principal shall also hold fire drills at least once a month at the elementary level, four times every school year at the intermediate level, and not less than twice every school year at the secondary level. (Education Code 32001)

1. The principal shall notify staff as to the schedule for fire drills.
2. Whenever a fire drill is held, all students, teachers and other employees shall be directed to leave the building. (5 CCR 550)
3. Teachers shall ascertain that no student remains in the building.
4. Teachers shall be prepared to select alternate exits and shall direct their classes to these exits whenever the designated escape route is blocked.
5. The principal or designee shall keep a record of each fire drill conducted and file a copy of this record with the office of the Superintendent or designee.

**Fires**

When a fire is discovered in any part of the school, the following actions shall be taken:

1. The principal or designee shall sound fire signals, unless the school and/or building is equipped with an automatic fire detection and alarm system. (Education Code 32001)
2. The principal or designee shall call 911.
3. All persons shall be directed to leave the building and shall proceed outside to designated assembly areas.
4. Staff shall give students clear direction and supervision and help maintain a calm and orderly response.
5. In outside assembly areas, teachers shall take roll, report missing students, and provide assistance to any injured students.
6. In outside assembly areas, the principal, designee and/or each department head shall account for their staff, report missing staff, and provide assistance to any injured staff.
7. If the fire is extensive, students shall be taken to an alternate location for protective custody until parents/guardians can pick them up or until they can be safely transported to their homes.

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## School Site Emergency Safety Plans

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The individual **Site Emergency Safety Plans** are considered to be a part of the overall **Comprehensive Safe School Plan**. Each site revises their Emergency plan on a yearly basis and has it reviewed by their site safety committee and/or site advisory council. The plans are also presented to the School Board as an informational item and approved. The emergency plans are updated and submitted for approval each October.

The information in each Site Emergency Safety Plan is as follows:

- A. Incident Command System team roles and responsibilities
- B. Command post identification
- C. Tasks to be considered before, during and after emergency
- D. Emergency drill frequencies
- E. Emergency telephone numbers
- F. Types of emergencies/evacuations
- G. Evacuation Site description
- H. Off Campus Evacuation Sites description
- I. Media Staging Area identification
- J. School evacuation route map
- K. Parent/child reunification procedure and persons responsible
- L. Bullying policy and reporting procedure
- M. School dress code policy
- N. Assessment of the current status of school crime – list of previous year’s suspensions
- O. Students/Staff who require special assistance - list
- P. School staff trained to render first aid and/or CPR – list
- Q. Portable classrooms – list
- R. Joint occupancy users – contact list
- S. Staff release priority – list
- T. Administrative regulations –list

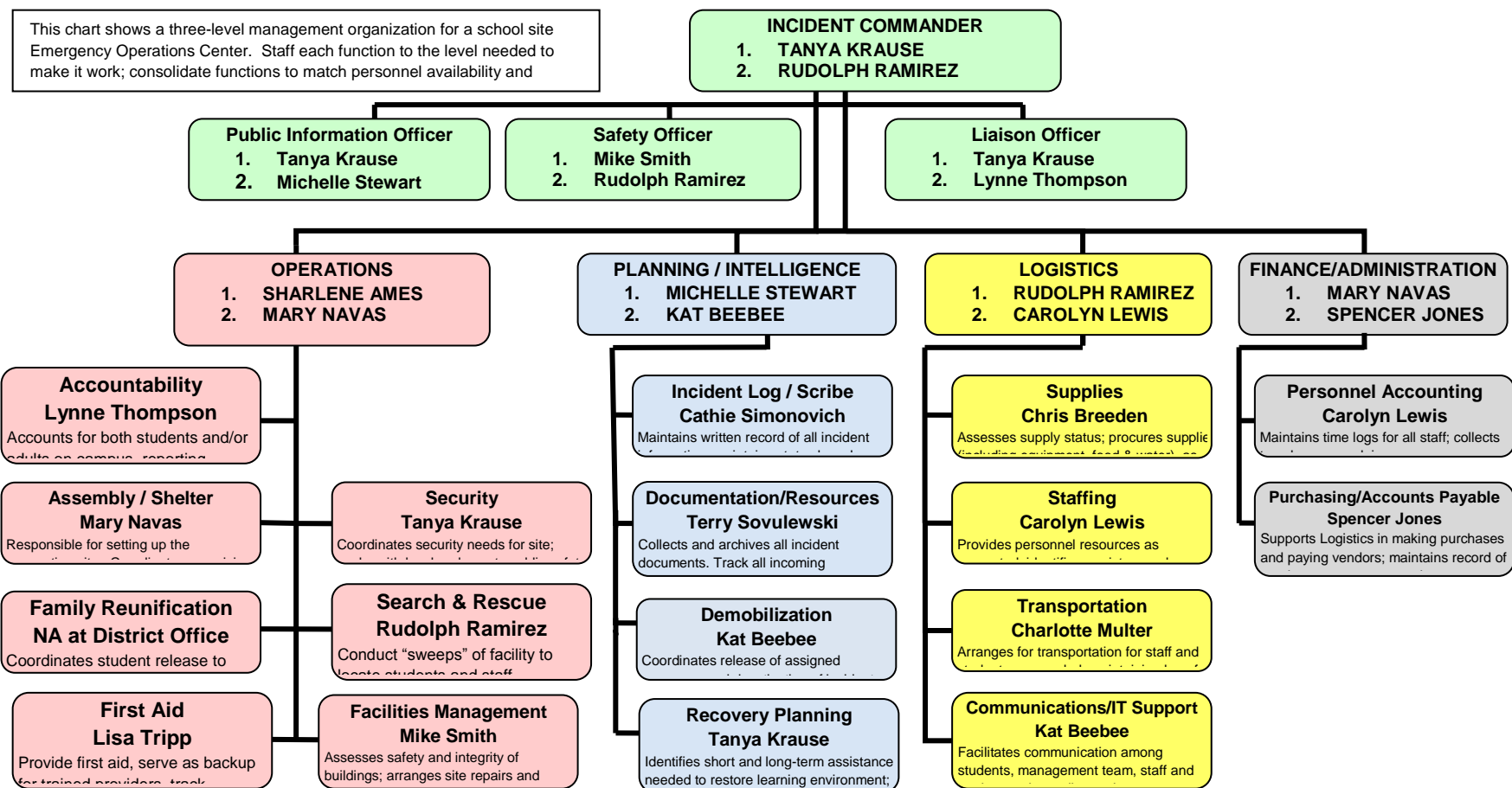
The full Site Emergency Safety Plans contain confidential information and are not available to the public. Included in this document are the Incident Command Team list from each site as well as the campus evacuation maps and routes.

In additions the Site Emergency Safety Plans each school site also possesses the **Santa Cruz County Emergency Response and Crisis Management Manual**. This reference would be used for more detailed instructions on specific situations in an actual emergency.

## Incident Command Teams

The Incident Command System (ICS) is a nationally recognized organizational and management tool that is utilized by SVUSD when responding to an emergency/crisis that identifies an incident commander and command team members who are assigned specific duties/responsibilities to respond to an emergency/crisis. Staff must be identified in advance due to the critical nature of these positions.

## DISTRICT OFFICE



## Incident Command Teams

### Middle School

<b>Position/Assignment</b>	<b>Full Name of Team Member</b>	<b>Name of Back-Up Team Member</b>
Incident Commander (principal/designee)	Mary Lonhart	
Incident Log/Scribe (commander)		
Public Information Officer	Sally Ghilarducci	
Safety Team Officer	Tracey Neilsen	
Liaison Team Officer	Lois Lopez	
Operations	Tracey Neilsen/Joe Allen	
Accountability	Vicki Powers	Lynn Culli
Assembly/Shelter	Julie Maxwell, Caroline Bombardieri	Paul Sampson, Christine Erskine
Security	Caroline Bombardieri, Christine Erskine	
Family Reunification	Jenn Perry, Latricia Mesloh	Elizabeth Poser, Sylvia Jacobson
Search & Rescue	Jeff Matlock, Katrin Deetz	Renae Fish, Arnie Serigstad
First Aid	Lark Pifferini, Peter Worden	Tarin Beebe
Facilities Management	Aristeo Flores, Conrado Noriega	
Planning/Intelligence	Sumita Jaggar	
Incident Log/Scribe (Planning)	Kristen Silva	Michelle Menchaca
Documentation/Resources	Alexie Neall	Paula Castagna
Recovery Planning		
Logistics – Section Chief	John Magliato	
Incident Log/Scribe (Logistics)		
Supplies / Staffing	John Magliato, Chris Cheek	Joanne Green, Andrew Quist
Transportation		
Communication/IT Support	Joe Allen	
Finance/Administration		
Recordkeeping		

## Incident Command Teams

### High School

<b>Position/Assignment</b>	<b>Full Name of Team Member</b>	<b>Name of Back-Up Team Member</b>
Incident Commander (principal/designee)	Valerie Bariteau	Michael Hanson
Incident Log/Scribe (commander)	Megan Laws	
Public Information Officer	Tanya Krausse - Superintendent	
Safety Team Officer	Christie Danner	Sarah Hershey
Liaison Team Officer	Dave Crawford	Ann Brooke
Operations	Michael Hanson	John Tiffany
Incident Log/Scribe (operations)	Kelly Reiner	
Search and Accountability	Megan Hill	Erik Wyner
Assembly/Shelter	Dayna Fisher	Mark Andrews
Security	Lewis LaHood	Marco Castillo
Family Reunification	Kelly Cox	Lee Else
First Aid	Erik Byrd	Jared Norman
Facilities Management	Juan Romero	Mike Scott
Planning/Intelligence	Molly McQuestion	Vito Chiaramonte
Incident Log/Scribe (Planning)	Hannah Stanford	
Documentation/Resources	Barbara Tansy	Debby DeCastro
Recovery Planning	Stella Carey	Julia Root
Logistics – Section Chief	John Postovit	David Crawford
Incident Log/Scribe (Logistics)	Marilyn Kirkham	
Supplies / Staffing	Clare Spitzer	Naomi Lyall
	Lynne Near	
Transportation	Julie Shapland	Kirk Jennings
Communication/IT Support	Emily Brandt	Paige Newbury
Finance/Administration	Pam Morrison	Neelu Sangha
Recordkeeping	Pam Morrison	Neelu Sangha

## Incident Command Teams

## Vine Hill

<b>Position/Assignment</b>	<b>Full Name of Team Member</b>	<b>Name of Back-Up Team Member</b>
Incident Commander (principal/designee)	Julie Ebert	Jane Hoffman
Public Information Officer	Mallorie Brooks	Julie Ebert
Safety Team Officer	Karen Abraham	Devin Lawton
Liaison Team Officer	Katie English	Yasmine Decleve/Jacqui Weiss
Operations	Megan Prather	Karen Abraham
Accountability	Michele Sanguinetti	Natalie Serigstad
Assembly/Shelter	Arthur Ramirez	Jessica Bretzing
Security	Dirk Andrews	Mary Dettle
Family Reunification	Maria Gauthier	Mallorie Brooks
Search & Rescue	Arthur Ramirez	Dirk Andrews/Julie Ebert
First Aid	Lisa Wilmoth	Laurie Ponos
Facilities Management	Arthur Ramirez	Julie Ebert
Special Needs	Amy Lauta/Amber Julian	Linda Wahler
Planning/Intelligence	Linda Wahler	Angelique Bright
Incident Log/Scribe	Laurie Ponos	Lisa Wilmoth
Documentation/Resources	Peggy Benjamin	Katie Jesse
Logistics	Sarah Hannaleck/Nicole Goldfield	Natalie Serigstad
Supplies/Staffing	Amy Lauta/Amber Julien	Julie Pierce
Transportation	Devin Lawton	Kelly Shulman/Michelle Smart
Communication/IT Support	Lea Graff	Michele Sanguinetti/Maria Gauthier
Finance/Administration	DISTRICT	
Personnel Accounting		
Purchasing/Accounts Payable		

## Incident Command Teams

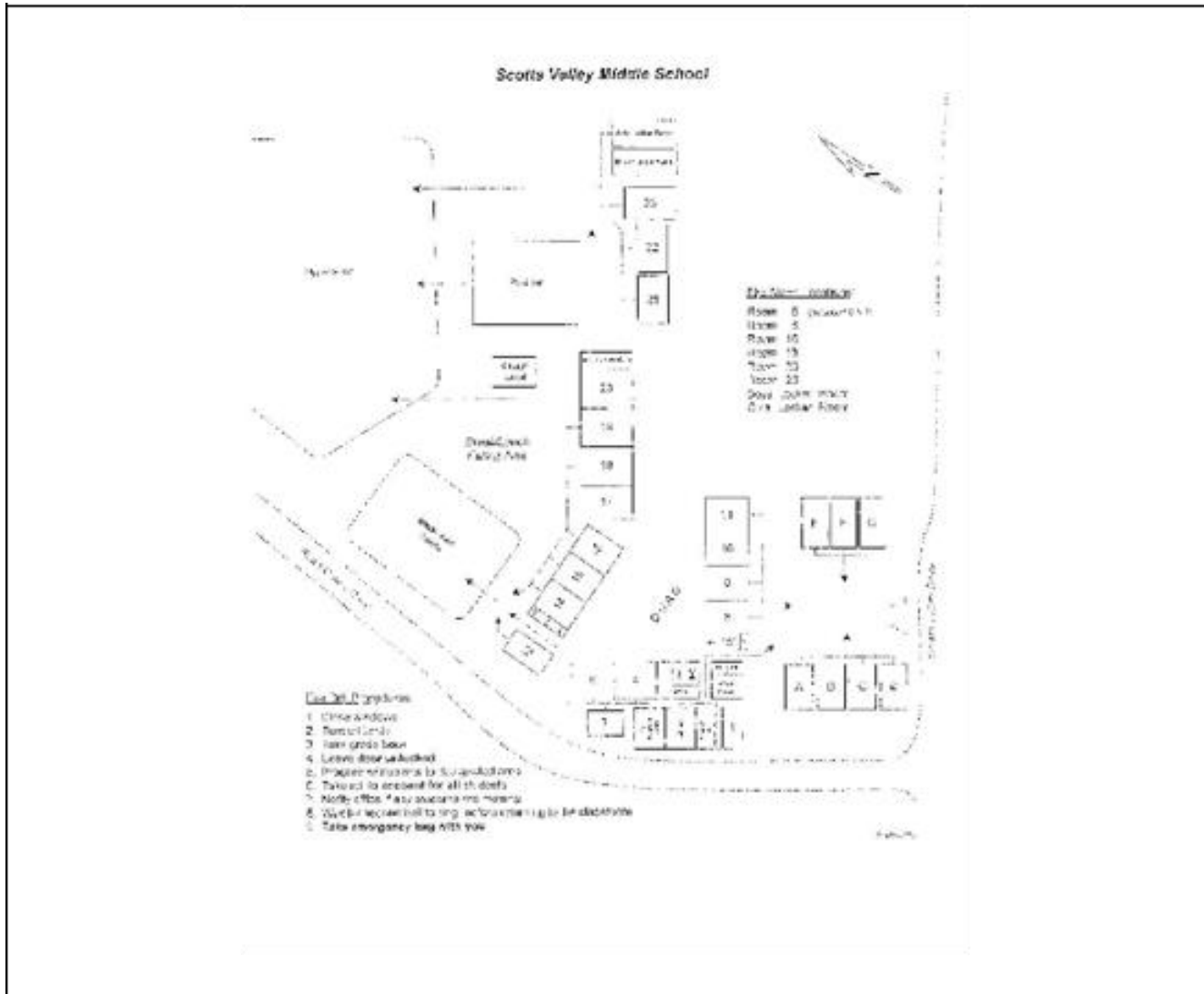
### Brook Knoll

<b>Position/Assignment</b>	<b>Full Name of Team Member</b>	<b>Name of Back-Up Team Member</b>
Incident Commander (principal/designee)	Joshua Wahl	Kathy Bothman
Public Information Officer	Becky McDermott	Kathy Carver
Safety Team Officer	Ann Codd	Sharon Keane
Liaison Team Officer	Kathy Carver	Lisa Jacobs
Operations	Robyn Bariteau	Beth Gray
Accountability	Kathy Bothman	Jacque Kannegaard
Assembly/Shelter	Kari Thornley	Chloe Johnson
Security	Kellie Courneen & Danielle Cruz	Sandi Lewandowski
Family Reunification	Kathy Bothman & Diane Walsh	Jacque Kannegaard
Search & Rescue	Mike Igoe	Heidi Reynolds
First Aid	School Nurse / Jen Woelfel	Lyndsay McDermott
Facilities Management	Susanna Carbajal	Haley Eggleston
Special Needs	Lyndsay McDermott	Donna Miguel
Planning/Intelligence	Krista Patterson	Diane Walsh
Incident Log/Scribe	Jenny Daniels	Kari Thornley
Documentation/Resources	Jacque Kannegaard	Haley Eggleston
Logistics	Katie Bagley	Kathy Petersen
Supplies	Sandi Lewandowski	Ady Weinstein
Staffing	Linda Muehlhauser	Kelly Utic
Transportation	Deb Avila-White	Amos Fishbein
Communication/IT Support	Ashley Rebiskie	Kathy Petersen
Finance/Administration	DISTRICT	
Personnel Accounting		
Purchasing/Accounts Payable		

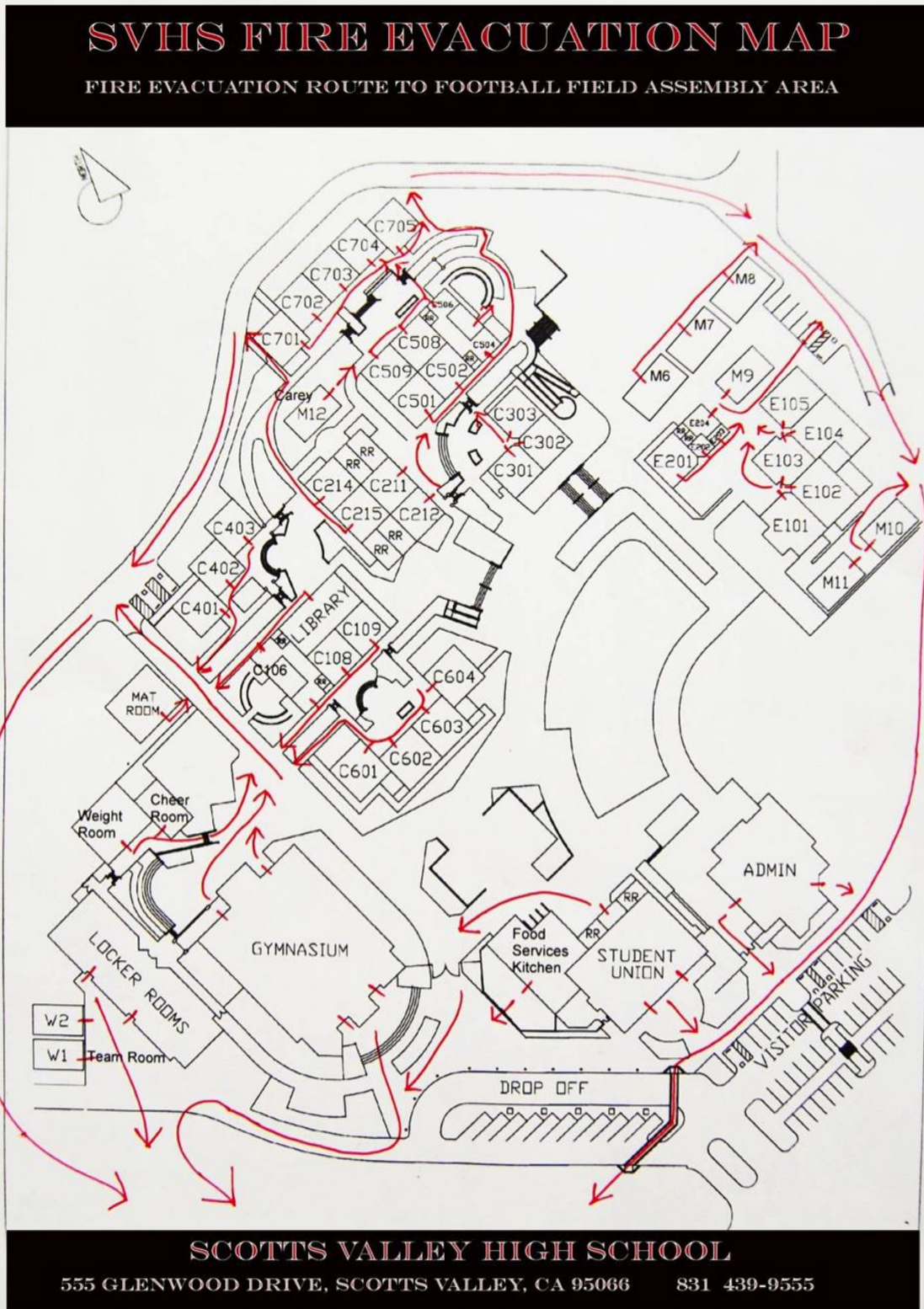


## Emergency Evacuation Maps

### Middle School

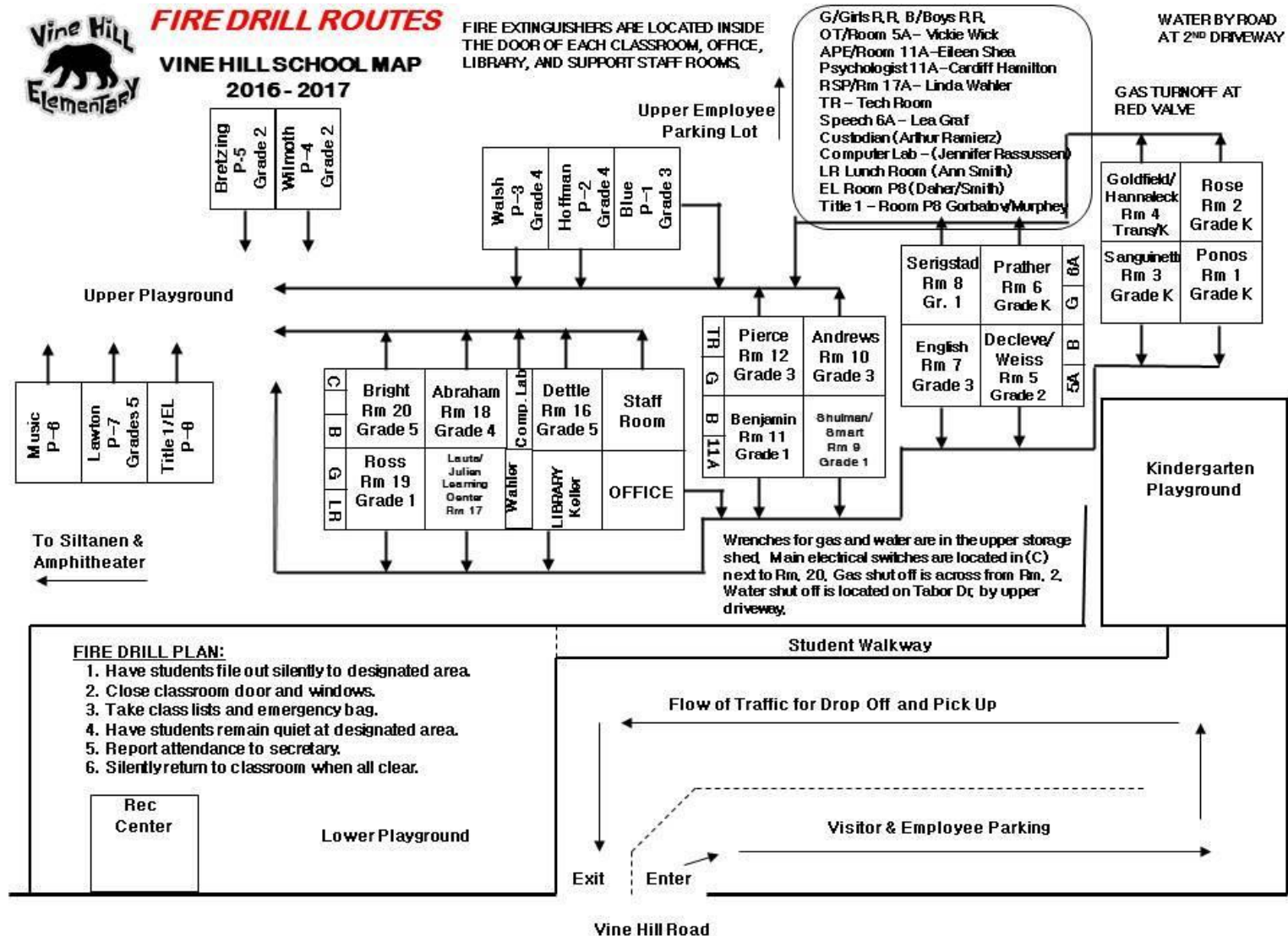


## Emergency Evacuation Maps



## Emergency Evacuation Maps

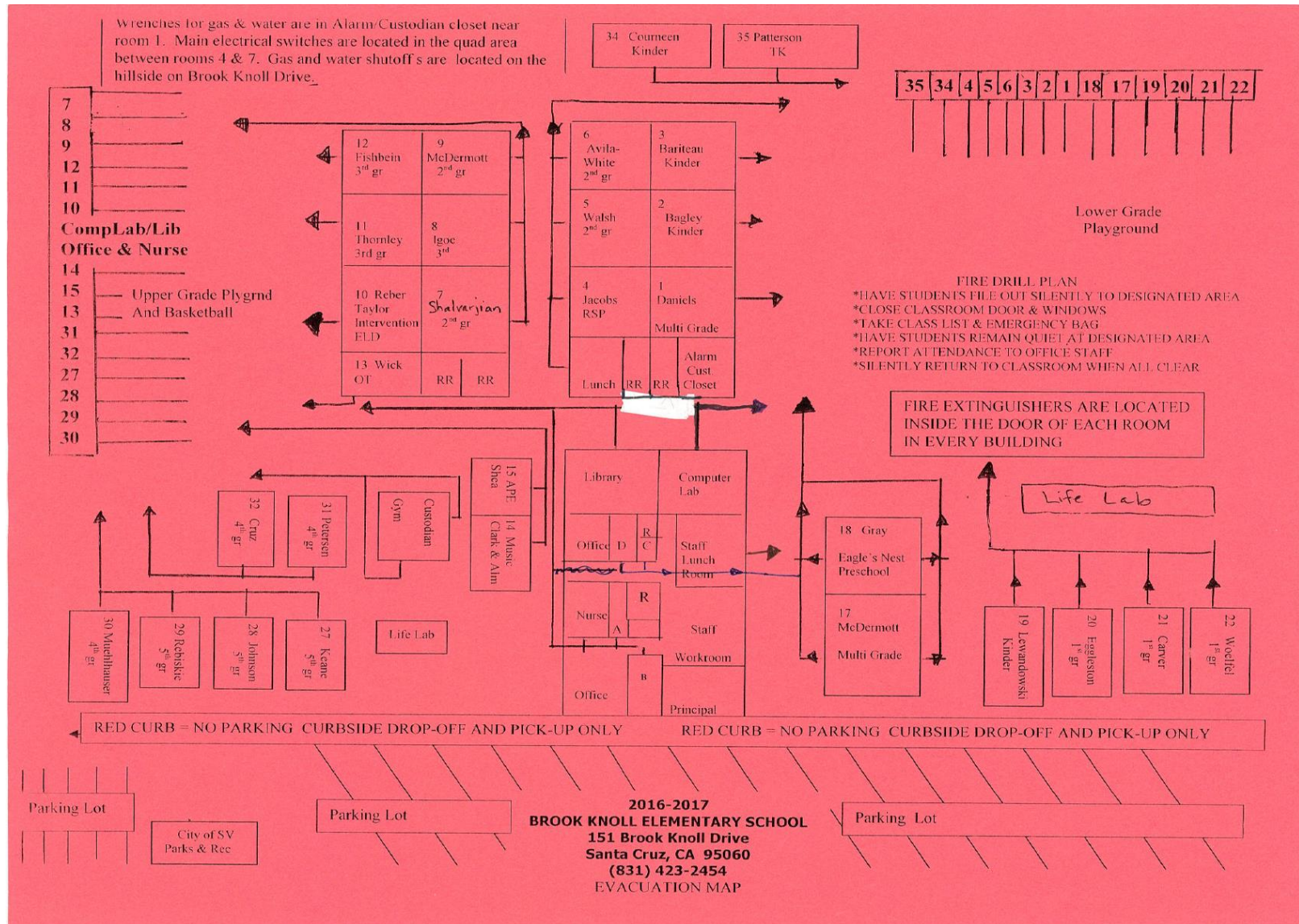
### Vine Hill





## Emergency Evacuation Maps

### Brook Knoll



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## Section C: School Suspension, Expulsion and Mandatory Expulsion Guidelines

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### Students

BP 5144.1(a)

### SUSPENSION AND EXPULSION/DUE PROCESS

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.

*(cf. 5131 - Conduct)*

*(cf. 5131.1 - Bus Conduct)*

*(cf. 5131.2 - Bullying)*

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

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

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

*(cf. 5112.5 - Open/Closed Campus)*

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

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

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

### Appropriate Use of Suspension Authority

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

*(cf. 1020 - Youth Services)*

*(cf. 5138 - Conflict Resolution/Peer Mediation)*

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

## **SUSPENSION AND EXPULSION/DUE PROCESS** (continued)

*(cf. 6164.2 - Guidance/Counseling Services)*

*(cf. 6164.5 - Student Success Teams)*

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

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

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

*(cf. 5113 - Absences and Excuses)*

*(cf. 5113.1 - Chronic Absence and Truancy)*

### **On-Campus Suspension**

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

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

### **Authority to Expel**

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

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

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

*(cf. 5131.7 - Weapons and Dangerous Instruments)*

2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

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 law and administrative regulation. (Education Code 48911, 48915, 48915.5, 48918)

### **Maintenance and Monitoring of Outcome Data**

The Superintendent or designee shall annually present to the Board a report of the outcome data which the district is required to collect pursuant to Education Code 48900.8 and 48916.1, including the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period.

The report shall be disaggregated by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, foster youth, and students with disabilities. The report also shall include information about whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.

Revised 3/24/15

**SUSPENSION AND EXPULSION/DUE PROCESS****Definitions**

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

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

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

**Notice of Regulations**

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

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

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

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

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code 48900(a) and (t))
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b))

(cf. 5131 - Conduct)



(cf. 5131.7 - Weapons and Dangerous Instruments)

**SUSPENSION AND EXPULSION/DUE PROCESS** (continued)

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

(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant (Education Code 48900(d))
5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
7. Stole or attempted to steal school property or private property (Education Code 48900(g))
8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))

(cf. 5131.62 - Tobacco)

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))
11. Knowingly received stolen school property or private property (Education Code 48900(l))
12. Possessed an imitation firearm (Education Code 48900(m))

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

13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))
14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code 48900(o))

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

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

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

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

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

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

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

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

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

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 6163.4 - Student Use of Technology)

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

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

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

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

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

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

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

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

(cf. 5131.4 - *Student Disturbances*)

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

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

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

(cf. 5145.7 - *Sexual Harassment*)

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

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

(cf. 5145.9 - *Hate-Motivated Behavior*)

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

(cf. 5145.3 - *Nondiscrimination/Harassment*)

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

### **Suspension from Class by a Teacher**

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

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

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

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

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

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

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

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

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

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

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

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

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

*(cf. 5125 - Student Records)*

### **Length of Suspension**

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

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

*(cf. 6184 - Continuation Education)*

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

### **Due Process Procedures for Suspension**

Suspensions shall be imposed in accordance with the following procedures:

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

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

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

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

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

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

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

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

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

(cf. 6173.1 - Education for Foster Youth)

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

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

*(cf. 6173 - Education for Homeless Children)*

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

### **Suspension by the Board**

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

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

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

*(cf. 9321 - Closed Session Purposes and Agendas)*

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

### **On-Campus Suspension**

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

1. The on-campus suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The on-campus suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

4. The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s)

shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

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

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

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

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

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

### **Student's Right to Expulsion Hearing**

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

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

If the Board finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the



## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (Education Code 48918(a))

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

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

### **Stipulated Expulsion**

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

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

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

### **Rights of Complaining Witness**

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

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

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

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

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

### **Written Notice of the Expulsion Hearing**

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

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

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

*(cf. 5119 - Students Expelled from Other Districts)*

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

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

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

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

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

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

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

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

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

### **Conduct of Expulsion Hearing**

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

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

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

2. **Record of Hearing:** A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))
3. **Subpoenas:** Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

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

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

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

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

5. **Testimony by Complaining Witnesses:** The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)
  - a. Any complaining witness shall be given five days' notice before being called to testify.
  - b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
  - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
  - d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
  - e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
  - f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
  - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
  - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
  - (3) The person conducting the hearing may:
    - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
    - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours
    - (c) Permit one of the support persons to accompany the complaining witness to the witness stand
- 6. **Decision:** The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

### **Alternative Expulsion Hearing: Hearing Officer or Administrative Panel**

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

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

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

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

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

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

### **Final Action by the Board**

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

*(cf. 9321.1 - Closed Session Actions and Reports)*

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

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

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

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

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

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

### **Written Notice to Expel**

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

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

### **Decision to Suspend Expulsion Order**

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

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

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

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)

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

### **Appeal**

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

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



## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

### **Notification to Law Enforcement Authorities**

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

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a

controlled substance. In addition, law enforcement authorities shall be notified regarding any acts by students regarding the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

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

### **Placement During Expulsion**

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

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

*(cf. 6158 - Independent Study)*

*(cf. 6185 - Community Day School)*

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

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

### **Readmission After Expulsion**

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

## **SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

1. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
2. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.
3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)
5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.
6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying re-admittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

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

### **Maintenance of Records**

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

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

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

*(cf. 5119 - Students Expelled from Other Districts)*

**SUSPENSION AND EXPULSION/DUE PROCESS (STUDENTS WITH DISABILITIES)**

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

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

**Suspension**

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

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

*(cf. 6159 - Individualized Education Program)*

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

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

If a student's removal is determined to be a change of placement as specified in items #1-2 above, or the student is suspended for more than 10 school days in the same school year, the student's IEP team shall determine the appropriate educational services. Such services shall be designed to enable the student to continue to participate in the general education curriculum in another setting, to progress toward meeting the goals set out in his/her IEP, and to address the student's behavior violation so that it does not recur. (20 USC 1412(a)(1)(A); 34 CFR 300.530)

## **SUSPENSION AND EXPULSION/DUE PROCESS (STUDENTS WITH DISABILITIES)**

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

*(cf. 3541.2 - Transportation for Students with Disabilities)*

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

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

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

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

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

A student who has been removed from his/her current placement because of dangerous behavior shall receive services, although in another setting, to the extent necessary to allow him/her to participate in the general education curriculum and to progress toward meeting the goals set out in his/her IEP. As appropriate, the student shall also receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

### **Manifestation Determination**

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

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

*(cf. 5145.6 - Parental Notifications)*

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

## SUSPENSION AND EXPULSION/DUE PROCESS (STUDENTS WITH DISABILITIES)

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

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

- a. Caused by or had a direct and substantial relationship to the student's disability
- b. A direct result of the district's failure to implement the student's IEP, in which case the district shall take immediate steps to remedy those deficiencies

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

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

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

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

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

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

*(cf. 6158 - Independent Study)*

## **SUSPENSION AND EXPULSION/DUE PROCESS (STUDENTS WITH DISABILITIES)**

*(cf. 6185 - Community Day School)*

### **Due Process Appeals**

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

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

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

### **Readmission**

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

### **Decision Not to Enforce Expulsion Order**

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

### **Notification to Law Enforcement Authorities**

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

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

*(cf. 5131.7 - Weapons and Dangerous Instruments)*

## **SUSPENSION AND EXPULSION/DUE PROCESS (STUDENTS WITH DISABILITIES)**

(continued)

### **Report to County Superintendent of Schools**

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

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

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

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

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

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

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

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

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

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

Regulation

approved: November 13, 2007  
revised: 09/28/10; 06/26/12

**SCOTTS VALLEY UNIFIED SCHOOL DISTRICT**

Scotts Valley, California

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## Section D: Procedures to Notify Teachers of Dangerous Pupils

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### All Personnel

#### EMPLOYEE SECURITY

AR 4158 (a)

4258

4358

An employee may use reasonable and necessary force for his/her self-defense, defense of another person, or protection of property; to quell a disturbance threatening physical injury to others; or to obtain possession of weapons or other dangerous objects within the control of a student. (Education Code 44807, 49001)

*(cf. 5131.7 - Weapons and Dangerous Instruments)*

*(cf. 5144 - Discipline)*

Employees shall promptly report to the site administrator or other immediate supervisor any attack, assault, or physical threat made against them by a student.

Both the employee and the site administrator or other immediate supervisor shall promptly report such instances to the appropriate local law enforcement agency. (Education Code 44014)

In addition, employees shall promptly report to the site administrator or supervisor, and may report to law enforcement, any attack, assault, or threat made against them on school grounds by any other individual.

*(cf. 3515.2 - Disruptions)*

Reports of attack, assault, or threat shall be forwarded immediately to the Superintendent or designee.

*(cf. 3320 - Claims and Actions Against the District)*

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

*(cf. 3530 - Risk Management/Insurance)*

#### Notice Regarding Student Offenses Committed While Under School Jurisdiction

The Superintendent or designee shall inform the teacher(s) of each student who has engaged in, or is reasonably suspected of, any act during the previous three school years which could constitute grounds for suspension or expulsion under Education Code 48900, with the exception of the possession or use of tobacco products, or Education Code 48900.2, 48900.3, 48900.4, or 48900.7. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

*(cf. 5125 - Student Records)*

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

Upon receiving a transfer student's record regarding acts committed by the student that resulted in his/her suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended or expelled from his/her former district and of the act that resulted in the suspension or expulsion. (Education Code 48201)



Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 49079)

### **Notice Regarding Student Offenses Committed While Outside School Jurisdiction**

When informed by the court that a minor student has been found by a court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall so inform the school site administrator. (Welfare and Institutions Code 827)

The site administrator shall disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress. The site administrator also may inform any teacher or administrator he/she thinks may need the information so as to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)

Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)

When a student is removed from school as a result of his/her offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code 827)

Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

### **Procedures to Maintain Confidentiality of Student Offenses**

In order to maintain confidentiality when providing information about student offenses to counselors and teachers of classes/programs to which a student is assigned, the site administrator or designee shall send the staff member a written notification that one of his/her students has committed an offense that requires his/her review of a student's file in the school office. This notice shall not name or otherwise identify the student. The staff member shall be asked to initial the notification and return it to the site administrator or designee.

The staff member shall also initial the student's file when reviewing it in the school office. Once the district has made a good faith effort to comply with the notification requirement of Education Code 49079 and Welfare and Institutions Code 827, an employee's failure to review the file constitutes district compliance with the requirement to provide notice to the teacher.

## **Use of Pepper Spray**

Employees wishing to carry pepper spray on school property or to a school-related activity shall submit to the Superintendent or designee a written request setting forth the need for the pepper spray. Should the Superintendent or designee determine that the employee may not carry pepper spray, the employee shall receive a written statement of the reason for this determination.

Regulation

approved: August 14, 2007

revised: August 9, 2011

**SCOTTS VALLEY UNIFIED SCHOOL DISTRICT**

Scotts Valley, California

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## Section E: Sexual Harassment Policies

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### Students

BP 5145.7(a)

#### SEXUAL HARASSMENT

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

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

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

*(cf. 1312.1 - Complaints Concerning District Employees)*

*(cf. 5131 - Conduct)*

*(cf. 5131.2 - Bullying)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5141.4 - Child Abuse Prevention and Reporting)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

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

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

*(cf. 1312.3 - Uniform Complaint Procedures)*

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

#### Instruction/Information

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even where the alleged victim of the harassment has not complained

## **SEXUAL HARASSMENT (continued)**

4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
6. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable

### **Disciplinary Actions**

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

*(cf. 5144 - Discipline)*

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

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

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

*(cf. 4117.4 - Dismissal)*

*(cf. 4117.7 - Employment Status Report)*

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

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

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

### **Record-Keeping**

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

Regulation

approved: November 13, 2007

revised: 10/13/09; 06/26/12; 01/27/15

**SCOTTS VALLEY UNIFIED SCHOOL DISTRICT**

Scotts Valley, California

**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:

Superintendent

\_\_\_\_\_  
(title or position)

4444 Scotts Valley Drive

\_\_\_\_\_  
(address)

831-438-1820

\_\_\_\_\_  
(telephone number)

svusd@scottsvallleyusd.org

\_\_\_\_\_  
(email)

*(cf. 1312.3 - Uniform Complaint Procedures)*

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

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

*(cf. 5131 - Conduct)*

*(cf. 5131.2 - Bullying)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

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

## **SEXUAL HARASSMENT** (continued)

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

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

### **Reporting Process and Complaint Investigation and Resolution**

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

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

*(cf. 5141.4 - Child Abuse Prevention and Reporting)*

## **SEXUAL HARASSMENT (continued)**

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

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

### **Confidentiality**

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

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

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

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

### **Response Pending Investigation**

When an incident of sexual harassment is reported, the principal or designee, in consultation with the compliance officer, shall determine whether interim measures are necessary pending the results of the investigation. The principal/designee or compliance officer shall take immediate measures necessary to stop the harassment and protect students and/or ensure their access to the educational program. Such measures may include placing the individuals involved in separate classes or transferring a student to a class taught by a different teacher, in accordance with law and Board policy. The school should notify the individual who was harassed of his/her options to avoid contact with the alleged harasser and allow the complainant to change academic and extracurricular arrangements as appropriate. The school should also ensure that the complainant is aware of the resources and assistance, such as counseling, that are available to him/her. As appropriate, such actions shall be considered

## **SEXUAL HARASSMENT** (continued)

even when a student chooses to not file a formal complaint or the sexual harassment occurs off school grounds or outside school-sponsored or school-related programs or activities.

### **Notifications**

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

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

*(cf. 5145.6 - Parental Notifications)*

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

*(cf. 1113 - District and School Web Sites)*

3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session (Education Code 231.5)
4. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
5. Be included in the student handbook
6. Be provided to employees and employee organizations

(3/09 3/12) 10/14

Regulation  
approved: May 13, 2014  
revised: January 27, 2015

**SCOTTS VALLEY UNIFIED SCHOOL DISTRICT**  
Scotts Valley, California



## **All Personnel**

BP 4119.11(a)

## **SEXUAL HARASSMENT**

4219.11

4319.11

The Board of Trustees 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 administrative regulation.

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

*(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 training to employees in accordance with law and administrative regulation
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 action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

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

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 report the incident to his/her supervisor, the principal, district administrator or Superintendent.

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

Complaints of sexual harassment shall be filed in accordance with AR 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.

*(cf. 4031 - Complaints Concerning Discrimination in Employment)*

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.

## **All Personnel**

AR 4119.11(a)

## **SEXUAL HARASSMENT**

4219.11

4319.11

### **Definitions**

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: (Education Code 212.5; 5 CCR 4916)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of such conduct by the individual is used as the basis for an employment decision affecting him/her.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work or has the purpose or effect of creating an intimidating, hostile, or offensive work environment. The conduct is sufficiently severe, persistent, pervasive, or objectively offensive so as to create a hostile or abusive working environment or to limit the individual's ability to participate in or benefit from an education program or activity.
4. Submission to or rejection of the conduct by the other 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 actions that might constitute sexual harassment, whether committed by a supervisor, a co-worker, 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; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

Prohibited sexual harassment may also include 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.

## **SEXUAL HARASSMENT (continued)**

### **Training**

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All newly hired or promoted supervisory employees shall receive training within six months of their assumption of the supervisory position. (Government Code 12950.1)

The district's training and education program for supervisory employees shall include information and practical guidance regarding the federal and state laws on the prohibition against and the prevention and correction of sexual harassment, and the remedies available to the victims of sexual harassment in employment. The training shall also include all of the content specified in 2 CCR 7288.0 and practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1; 2 CCR 7288.0)

In addition, the Superintendent or designee shall ensure that all employees receive periodic training regarding the district's sexual harassment policy, particularly the procedures for filing complaints and employees' duty to use the district's complaint procedures.

### **Notifications**

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

1. Be displayed in a prominent location in the main administrative building, district office, 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 (DFEH) 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

## **SEXUAL HARASSMENT** (continued)

4. The district's complaint process available to the employee

*(cf. 4031 - Complaints Concerning Discrimination in Employment)*

5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC
7. The protection against retaliation provided by 2 CCR 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

In addition, the district shall post, in a prominent and accessible location, DFEH's poster on discrimination in employment and the illegality of sexual harassment. (Government Code 12950)

(3/04 7/05) 3/08

Regulation  
approved: August 14, 2007  
revised: August 12, 2008

**SCOTTS VALLEY UNIFIED SCHOOL DISTRICT**  
Scotts Valley, California

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## Section F: School-wide Dress Code Relating to Gang-Related Apparel

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### DRESS AND GROOMING

Students

BP 5132

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

(cf. 4119.22 - Dress and Grooming)

(cf. 5145.2 - Freedom of Speech/Expression)

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

(cf. 5144 - Discipline)

### Gang-Related Apparel

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5136 - Gangs)

Legal Reference:

#### EDUCATION CODE

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

adopted: November 13, 2007

**SCOTTS VALLEY UNIFIED SCHOOL DISTRICT**

Scotts Valley, California

## **DRESS AND GROOMING**

**Students** AR 5132

In cooperation with teachers, students and parents/guardians, the principal or designee shall establish school rules governing student dress and grooming which are consistent with law, Board of Trustees 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)

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

*(cf. 3260 - Fees and Charges)*

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

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

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

Regulation  
approved: November 13, 2007

**SCOTTS VALLEY UNIFIED SCHOOL DISTRICT**  
Scotts Valley, California

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## **Section G: Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School**

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### **Middle School**

Students, staff, and visitors in vehicles enter Scotts Valley Middle school primarily from the parking lot off of Bean Creek Road. There is a turn around with a sidewalk at the end where students are dropped off.

Students who walk or bike to school enter through the front gate on Scotts Valley Drive. Bikes are locked in the SVMS bike cage. The corner of Scotts Valley Drive and Bean Creek Road is monitored by staff before and after school.

To leave school, pedestrians leave through the front gate on Scotts Valley Drive. Students who get picked up wait for their rides on the sidewalk area in the parking lot.

Police assistance is available at the start of the school year to help with pedestrian and vehicle egress and ingress.

At the beginning of each school year, bicycle and pedestrian safety laws are reviewed by a Scotts Valley Police officer.

### **High School**

SVHS has two driveways entering campus. The lower parking lot used primarily for student parking is fed by one driveway and the upper lot, used by staff, visitors, and senior students is fed by the main driveway. High school administration and the School Resource Officer regularly observe traffic patterns and flow to monitor safe and efficient ingress and egress from campus.

A third driveway, K street, is an emergency access road that is gated and locked. Only emergency responders, SVPD and SVFD, have access to this road and the ability to unlock the gate.

Pedestrian and bike traffic must enter alongside either of the 3 driveways mentioned. On the main driveway a designated walking lane has been marked off for foot traffic.

The SRO regularly patrols traffic before and after school to enforce traffic rules, including speeding and driver permitting regulations.

Visitors are required to park in the upper parking lot in designated spaces. Signage about the perimeter of campus notifies visitors that they are to check in at the administration office before being allowed to enter campus on sanctioned school business.

## Vine Hill

### **VOLUNTEERS and VISITORS**

Please sign in at the office and get a “volunteer” badge each time you volunteer or visit the campus. Volunteers will need to have completed the required paperwork and be current before volunteering. As a visitor you will sometimes come in contact with confidential matters and are expected to respect the rights of both students and school personnel in holding these matters strictly confidential. Everyone on campus **MUST** have a name badge on and have checked into the school front office. If you have any questions please come to the office for clarification.



### **ARRIVAL & DISMISSAL**

Students walking to school should use sidewalks and cross only at one of the two designated crosswalks: corner of Scotts Valley Drive and Vine Hill School Road; or Siltanen Park.

### **STUDENTS ARE TO GO DIRECTLY TO THE PLAYGROUND UPON ARRIVAL.**

At the end of the school day students are expected to go home immediately. No supervision is provided on the school playground after school. Students not picked up by 2:55pm will go to the office and parents will be contacted.

If you need to pick up your child before school is dismissed, please come to the office and sign out your child. Your child will be called to meet you at the office.

**For safety reasons, there is only one designated and supervised area for student pick up:**

1. The school parking lot

### **Student Drop Off and Pick Up Procedures**

For the safety of students and drivers and for efficiency in the school parking lot, please honor the following procedures for the drop off and pick up students:

- **Pull as far forward as possible before loading or unloading.**
- Have children ready to exit the vehicle before entering the parking lot.
- Once entering the parking lot, stay with the path of the arrows – **do not back out of the parking lot or drive over the cement dividers.**
- Stay with the flow of traffic on the red curb and in the through lane.
- Load and unload students by the curb only, or park in a designated space and walk your child through the lot. Students may **NOT** walk through the parking lot (to or from cars) without being accompanied by their parents.
- After loading or unloading move out into the through lane and proceed to the exit.
- Do not block vehicles, cut in front of vehicles, or double-park to load or unload. Please drive slowly.
- **Cars may not be left unattended along the red curb.** Park only in designated parking spaces if you need to leave your vehicle.
- Kindergarten parents who want to walk their students to the classroom must park in a designated parking space or park down in Siltanen Park and walk up.
- For 2:40 dismissal, please do not enter the parking lot until that time. It is important that parents be able to get to the curb to pick up students dismissed at 2:20.
- Follow the directions of the volunteers and staff on duty.
- Please remember – **no dogs on campus** before, during, or after school – this is a city ordinance.

For the safety of students being dropped off or picked up at the Siltanen / Amphitheater area please honor the following procedures: We are trying to alleviate congestion and keep the crosswalk clear.



- There is no supervision in the morning or afternoon.
- Pull into the west driveway entrance to the parking lot at Siltanen and park before unloading students.
- Exit through the east side (closest to Vine Hill School) entrance.
- **Students may not be dropped off or picked up on the street or parking lot.**
- Students are to use the crosswalk when dropped off at Siltanen and proceed to the main campus.

**CAMPUS SECURITY**

The Governing Board is committed to providing a school environment that promotes the safety of students, employees, and visitors to school grounds. The Board also recognizes the importance of protecting district property, facilities, and equipment from vandalism and theft.

The Superintendent or designee shall develop campus security procedures which are consistent with the goals and objectives of the district's comprehensive safety plan and site-level safety plans. Such procedures shall be regularly reviewed to reflect changed circumstances and to assess their effectiveness in achieving safe school objectives.

(cf. 0450 - Comprehensive Safety Plan)

**Surveillance Systems**

The Board believes that reasonable use of surveillance cameras will help the district achieve its goals for campus security. In consultation with the safety planning committee and relevant staff, the Superintendent or designee shall identify appropriate locations for the placement of surveillance cameras. Cameras shall not be placed in areas where students, staff, or community members have a reasonable expectation of privacy. Any audio capability on the district's surveillance equipment shall be disabled so that sounds are not recorded.

(cf. 5131.1 - Bus Conduct)

(cf. 5145.12 - Search and Seizure)

Prior to the operation of the surveillance system, the Superintendent or designee shall ensure that signs are posted at conspicuous locations at affected school buildings and grounds. These signs shall inform students, staff, and visitors that surveillance may occur and shall state whether the district's system is actively monitored by school personnel. The Superintendent or designee shall also provide prior written notice to students and parents/guardians about the district's surveillance system, including the locations where surveillance may occur, explaining that the recordings may be used in disciplinary proceedings, and that matters captured by the camera may be referred to local law enforcement, as appropriate.

(cf. 5144 - Discipline)

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

To the extent that any images from the district's surveillance system create a student or personnel record, the Superintendent or designee shall ensure that the images are accessed, retained, and disclosed in accordance with law, Board policy, administrative regulation, and any applicable collective bargaining agreements.

(cf. 4112.6/4212.6/4312.6 - Personnel Records)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

**CAMPUS SECURITY**

The Superintendent or designee shall ensure that the district's campus security plan includes strategies to:

1. Secure the campus perimeter and school facilities in order to prevent criminal activity

These strategies include a risk management analysis of each campus' security system, lighting system, and fencing. Procedures to ensure unobstructed views and eliminate blind spots caused by doorways and landscaping shall also be considered. In addition, parking lot design may be studied, including methods to discourage through traffic.

2. Secure buildings from outsiders and discourage trespassing

These strategies may include requiring visitor registration, staff and student identification tags, and patrolling of places used for congregating and loitering.

(cf. 1250 - Visitors/Outsiders)

(cf. 3515.2 - Disruptions)

(cf. 5112.5 - Open/Closed Campus)

3. Discourage vandalism and graffiti

These strategies may include plans to immediately cover graffiti as well as campus beautification projects and shall also include students and the community in these projects.

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

(cf. 5131.5 - Vandalism and Graffiti)

(cf. 5137 - Positive School Climate)

4. Control access to keys and other school inventory

(cf. 3440 - Inventories)

5. Detect and intervene with school crime

These strategies may include the creation of a school watch program, an anonymous crime reporting system, analysis of school crime incidents, and collaboration with local law enforcement agencies, including providing for law enforcement presence.

(cf. 3515.3 - District Police/Security Department)

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5145.9 - Hate-Motivated Behavior)

All staff shall receive training in building and grounds security procedures.

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## Section I: School Discipline Rules and Consequences

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### Students

BP 5144(a)

### DISCIPLINE

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

*(cf. 5131 - Conduct)*

*(cf. 5131.1 - Bus Conduct)*

*(cf. 5131.2 - Bullying)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5138 - Conflict Resolution/Peer Mediation)*

*(cf. 5145.9 - Hate-Motivated Behavior)*

*(cf. 6020 - Parent Involvement)*

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

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

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

*(cf. 5020 - Parent Rights and Responsibilities)*

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

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

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

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

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

*(cf. 0450 - Comprehensive Safety Plan)*

## **DISCIPLINE** (continued)

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

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

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

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

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

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

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

*(cf. 0460 - Local Control and Accountability Plan)*

*(cf. 3100 - Budget)*

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

### *Legal Reference:*

#### EDUCATION CODE

32280-32288 School safety plans

35146 Closed sessions

35291.5-35291.7 School-adopted discipline rules

37223 Weekend classes

44807.5 Restriction from recess

48900-48926 Suspension and expulsion

48980-48985 Notification of parent/guardian

49330-49335 Injurious objects

52060-52077 Local control and accountability plan

#### CIVIL CODE

1714.1 Parental liability for child's misconduct

#### CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

## **DISCIPLINE (continued)**

### *Management Resources:*

#### CSBA PUBLICATIONS

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

*Safe Schools: Strategies for Board of Trustees to Ensure Student Success, 2011*

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

#### CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

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

#### STATE BOARD OF EDUCATION POLICIES

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

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

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

#### WEB SITES

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

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

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

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

(3/11 11/12) 4/14

Policy

**SCOTTS VALLEY UNIFIED SCHOOL DISTRICT**

adopted: November 13, 2007

Scotts Valley, California

revised: 08/08/11; 04/09/13; 09/09/14

**Students**

AR 5144(a)

## **DISCIPLINE**

### **Site-Level Rules**

Site-level rules shall be consistent with district policies and administrative regulations. In developing site-level disciplinary rules, the principal or designee shall solicit the participation, views, and advice of one representative selected by each of the following groups: (Education Code 35291.5)

1. Parents/guardians
2. Teachers
3. School administrators
4. School security personnel, if any
5. For junior high and high schools, students enrolled in the school

Site-level discipline rules shall be reviewed periodically 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

## **DISCIPLINE** (continued)

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 study team, guidance team, resource panel, 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

*(cf. 6164.5 - Student Success Teams)*

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)*

5. Enrollment in a program for teaching prosocial behavior or anger management

6. Participation in a restorative justice program

7. A positive behavior support approach with tiered interventions that occur during the school day on campus

## **DISCIPLINE** (continued)

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/Cocurricular Activities)*

15. Reassignment to an alternative educational environment
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)

### **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.



## **DISCIPLINE** (continued)

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 school bus on account of being detained after school, or if the student is not transported by school bus, the 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 principal or designee notifies the parent/guardian.

In cases where the school bus departs more than one hour after the end of the school day, students may be detained until the bus departs. (5 CCR 307, 353)

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

### **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.

Regulation approved: November 13, 2007 **SCOTTS VALLEY UNIFIED SCHOOL DISTRICT**  
revised: 06/26/12; 04/09/13; 09/09/14  
Scotts Valley, California

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## Site Level Rules and Disciplinary Consequences

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### Middle School

#### Alcohol

Students may not possess, use, or be under the influence of any alcoholic beverage.

**Consequences:**

- Minimum two-day suspension
- Mandatory participation in an intervention program
- Notify parents
- Notify Police Department

**Second offense:**

- Five-day suspension
- Notify parents
- Recommendation for expulsion
- Notify Police Department

Students may not arrange or negotiate to sell, buy or otherwise furnish any alcoholic beverage.

**Consequences:**

- Five-day suspension
- Mandatory participation in an intervention program
- Notify parents
- Referral to Police Department
- Recommendation for expulsion

#### Arson

Students may not willfully and maliciously set fire to or burn or cause to be burned or aid, counsel or procure the burning of, any structure, land or property.

**Consequences:**

- Five-day suspension
- Notify parents
- Notify Fire and Police Departments
- Attempt to gain restitution when appropriate
- Recommendation for expulsion when appropriate

#### Bicycles, Skateboards, Rollerskates/Blades, Scooters

These may not be ridden on the campus at any time. Bikes, skateboards and scooters are to be locked in the bike cage. Please leave the bike cage area when your means of transportation is secured.

**Consequences:**

- Privileges suspended for one month; notify parents.
- Repeated offenses – privileges suspended for one trimester or longer; notify parents.

#### Cheating

Cheating is never appropriate and includes:

- Copying homework from others.
- Passing off other's work as your own.
- Forging a signature.
- Taking answers from others, giving answers to others.

**Consequences:**

- Receive an “F” on the test or assignment.
- Notify parents, refer to counseling.

**Repeated cheating may also result in the following consequences:**

- Receive an “F” for that class at the trimester grade.
- Notify parents in all cases.

**Dangerous Objects**

Students may not possess any firearm\*, explosive or other dangerous object. Daggers, knives, switchblade knives, knives with blades that lock, stars, and razors are strictly prohibited. Replicas of a firearm, that would lead a reasonable person to believe it was real, are strictly prohibited. Stink bombs are prohibited by PC 374.

**Consequences:**

- Up to five-day suspension.
- Notify parents.
- Confiscate item(s).
- Recommendation for expulsion when appropriate.
- Refer to Police Department when appropriate.

\* Possession, selling or furnishing of a firearm, and possession of a locking blade and/or blade over 3 inches, requires a mandatory recommendation for expulsion.

**Disobedience/Defiance**

Students shall not disrupt school activities or otherwise defy the valid authority of supervisors, teachers or administrators. Students shall not act in an unruly or disruptive manner or in a way that may endanger other students.

**Consequences:**

- Minimum one-day teacher detention.
- Possible referral.
- Notify parents.

**Repeated offenses:**

- Possible one to five days of suspension, depending on the severity and frequency of the misbehavior.

**Dress and Appearance**

Students are to be well groomed and dressed in a manner, which does not disrupt learning and is not hazardous to the health and safety of others.

- Underwear is not to show. This includes bra straps and boxers.
- Torsos need to be covered at all times. Be sure that a shirt covers the midriff even when raising a hand to speak.
- Pajama bottoms are not to be worn at school.
- Good discretion should be used when wearing shorts at school. Be sure you are comfortable enough to bend over in them and feel covered.
- Tank tops worn at school need to have straps that are at least two fingers wide. Multiple thin straps do not equal one two finger strap.
- Halter and strapless tops are not appropriate for school.
- All pants must be able to stay at waist level either on their own or with a belt.
- Any apparel, including emblems, buttons or other ornamentation which is suggestive, profane, gang-related or has references to drugs, alcohol or tobacco is not acceptable.
- Hats may not be worn in class.

**Consequences:**

- Student will be asked to change into acceptable clothing.
- Notify parents.

**Repeated offenses:**

One to five day suspension, notify parents.

**Drugs**

Students may not possess, use or be under the influence of any controlled substance or intoxicant during the school day, on school campuses, or at a school-sponsored event.

**Consequences:**

- Minimum two-day suspension.
- Mandatory participation in an intervention program.
- Notify parents.
- Possible recommendation for expulsion.
- Notify Police Department.

**Second offense:**

- Five-day suspension, notify parents.
- Notify parents.
- Recommendation for expulsion.
- Notify Police Department.

Students may not arrange or negotiate to sell, buy or otherwise furnish any controlled substance or any intoxicant.

**Consequences:**

- Five-day suspension.
- Mandatory participation in an intervention program.
- Notify parents.
- Mandatory recommendation for expulsion.

**Electronic Devices**

Electronic devices, including but not limited to MP3 or CD players, pagers, cell phones etc. are to be turned off and out of sight during school hours. Ed Code 48901.5 (a)

**Consequences:**

- Confiscation of items, to be returned later to a parent or guardian.
- Possible detention.

**Extra-curricular Code of Conduct**

In order to participate in extra-curricular activities, including but not limited to, sports, school-sponsored clubs, and Student Government, a student must understand and agree to follow the rules below. Any student who does not follow these rules is subject to suspension or removal from the team or organization.

1. Students must abide by the district policies related to discipline:
  - a. Any student suspended from school will be removed from any meetings, practices, or sporting events for the 5 school day period after the suspension.
  - b. Students will not be allowed to compete on the weekend following a suspension.
  - c. A student will be removed from a team or group for the remainder of the season if they earn three or more referrals.
2. Students must refrain from using tobacco, alcohol, or illegal drugs on or off campus. Any student caught using these substances will be immediately removed from the team for the remainder of the season.
3. Students must have regular and prompt attendance at all practices and games, except in the case of illness or when the coach excuses the student.
4. Students must follow the rules established by the coach, teacher, or director of the program.

5. Students must represent the school and community through good citizenship and conduct, including but not limited to:
  - a. Displaying cordial conduct to visiting team members.
  - b. Displaying good sportsmanship.
  - c. Respecting the integrity and judgment of athletic officials and avoiding derisive action or words, towards them.
  - d. Avoiding profanity, vulgarity, and rowdiness, and obscene actions of any nature.
6. Students must maintain academic eligibility:
  - a. A student must maintain a 2.0 GPA with no F grades, and no U's in citizenship each grade check.
  - b. Grade checks will occur every nine weeks, at each progress report halfway through the semester and at each semester grade report. Eligibility for a team will be based on the grades from the previous period.
  - c. Students are allowed one nine-week period of probation. If they fail to raise their grades to the appropriate level, they will be ineligible at the next grade-reporting period, and will continue to be ineligible until the grades are raised.
7. Attendance:
  - a. Anyone absent from school on game/activity/event day is not eligible to compete/participate. They must be in attendance for at least 4 periods of the day to be eligible for competition.
  - b. A student who is absent from school will not participate in practice on that day.
  - c. A student is expected to attend every practice and get permission from their coach/teacher if they cannot make practice.
8. Students must be able to participate in PE class to be eligible for after school athletics. Any student who is excused from PE by a doctor's note, will be unable to participate in athletics for the same duration.

### **Fighting/Play Fighting**

Fighting, play fighting and rough-housing is strictly forbidden. Students shall not cause, attempt to cause or threaten to cause injury to another person.

#### **Consequences:**

- Referral.
- Minimum one-day detention.
- Notify parents.
- One to five days of suspension if student causes, attempts to cause or threatens to cause injury to another person or depending on the severity and frequency of the misbehavior.
- Possible referral to Police.
- Possible recommendation for expulsion.

### **Harassment**

Students shall not engage in harassment, threats, or intimidation that causes the disruption of class work, creates substantial disorder or invades the rights of a student or group of students by creating an intimidating or hostile learning environment.

#### **Consequences:**

- Referral.
- Minimum one-day detention.
- Referral to counseling services.
- Notify parents.
- Possible one to five day suspension.

#### **Second offense:**

- Possible one to five day suspension, or recommendation for expulsion.

### **Sexual Harassment**

Students shall not sexually harass or commit any act which degrades or discredits fellow pupils or which has a negative impact on an individual's academic performance or creates an intimidating, hostile or offensive educational environment. Ed Code 48900.2 Section 212.5

**Consequences:**

- Referral.
- Minimum one-day detention.
- Referral to counseling services.
- Notify parents.
- Possible one to five day suspension.

**Second offense:**

- Possible one to five day suspension.
- Possible recommendation for expulsion.

**Hate Crimes**

Students shall not cause, attempt to cause, threaten to cause or participate in an act of hate violence. Ed Code 487900.3 subdivision (e) section 33032.5

**Consequences:**

- One-to five day suspension.
- Notify parents.
- Possible referral to Police.
- Possible referral to SARB for further interventions.
- Possible recommendation for expulsion.

**Leaving Class/School**

Students may not leave class or school without proper permission. Students leaving class must have a pass and permission from the teacher. Students leaving school must check out through the main office with parent/guardian permission only.

**Consequences:**

- One hour detention for every portion of an hour missed.
  - Notify parents.
- Referral to SARB for further interventions if offenses continue.

**Profane And Vulgar Acts**

Students are not to speak or behave in a profane or vulgar manner.

**Consequences:**

- Referral, notify parents.
- Possible one to five day suspension.
- Possible recommendation for expulsion.

**Prohibited Items**

Students may not possess any item that is not necessary for instructional purposes and or may cause a disruption to the learning process or endanger others. These include but are not limited to: drug paraphernalia, matches, water balloons, squirt guns, GUM, firecrackers, lighters, permanent markers, spray cans, chains, spiked jewelry or metal spiked accessories, stink bombs, smoke bombs. Students may not sell things at school, and should not borrow money from students.

**Consequences:**

- Confiscation of items, notify parents.
- Possible detention, suspension, or expulsion.

**Public Displays Of Affection**

Students will interact with each other in an appropriate manner. Kissing, hugging, hand holding, and other public displays of affection are not appropriate at school. Repeated offenses may result in a referral or suspension.

**Consequences:**

- Warning.
- Notify parents.

**Spitting And/Or Littering**

Students are not to spit or litter the campus. GUM is not allowed on school campus or at school sponsored activities.

**Consequences:**

- Clean up detention.
- Notify parents.
- Possible suspension for continued offenses.

**Terroristic Threat**

Students may not make any statement, whether written or oral which willfully threatens to commit a crime that will result in death, great bodily injury to another person, or property damage, 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. Ed Code 48900.7 (a) and (b).

**Consequences:**

- Referral.
- Minimum one day detention.
- Notify parents.
- Possible one to five days suspension.
- Possible recommendation for expulsion.
- Possible referral to police.

**Tobacco**

Students may not possess or use any form of tobacco at SVMS, at the school area that surrounds the immediate campus, to or from school or at any school function. Ed Code 48901 (a).

**Consequences:**

- Possible referral to intervention program
- Minimum one day suspension
- Notify parents

Repeated offenses may result in two to five day suspension, notifying parents and referral for further interventions.

**Vandalism/Theft/Extortion**

Students may not cause damage to school or another person's property, nor steal school property or another person's property.

**Consequences:**

- Possible one to five days suspension.
- Notify parents.
- Notify Police when appropriate.
- Attempt to gain restitution when appropriate.
- Recommendation for expulsion when appropriate.

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## High School

### School Rules

The following rules shall serve as a baseline for describing unacceptable student behavior on campus. The consequences described for violating these rules are guidelines and may be modified at the discretion of the administration depending on the particular circumstances of an incident.

SVHS utilizes the practice of Progressive Discipline. This means that the consequences for repeated violations become increasingly more severe.

### **ACADEMIC INTEGRITY: CHEATING, PLAGIARISM, AND FALSIFICATION**

A breach of academic integrity includes, but is not limited to:

Cheating on tests, exams, or any other assessment activity:

- Looking at someone else's paper during a test, exam, or any other assessment activity.
- Letting someone else see or use one's work at any time during a test, exam, or any other assessment activity.
- Talking with another student during a test, exam, or any other assessment activity.
- Using any kind of cheat notes or unauthorized materials including personal technological devices.
- Copying work assigned to be done independently or letting others copy one's work or another's work.
- Giving or receiving test information from other students.
- Using deceitful practices to improve one's grade or someone else's grade.

Plagiarism, including but not limited to the following:

- Submitting individual assignment or project not wholly one's own, without teacher approval. (Representing one's work as wholly one's own when it is not.)
- Copying or paraphrasing sentences or passages from an un-cited source while writing a paper or doing research

Deliberate deception, forgery, or falsification including but not limited to the following:

- Tampering with, falsifying, or forging school documents.
- Forging signatures on any school documents.
- Making deliberately deceptive phone calls to the attendance office/school officials.
- Tampering with or changing attendance rosters.

#### **Possible Consequences (depending on the circumstances of the incident) :**

- Parent Contact
- Detention
- Loss of points or 'zero' on assignment
- Suspension (one or more days)
- Removal from class with a W/F

### **ALCOHOL, DRUGS, AND NARCOTICS**

While on the school grounds, or when under the authorization or direct supervision of school personnel at school events off campus, or while going to or coming from school or school activities, the use, consumption, sale, possession, arranging or negotiating to sell, or being under the influence of alcoholic beverages, drugs or narcotics is strictly prohibited and punishable by suspension, recommendation for transfer or expulsion.

Possessing, using, or being under the influence of alcohol or a controlled substance.



Possessing or offering, arranging, or negotiating to sell any drug paraphernalia, this includes vaporizers of any kind.

**Consequences:**

- Up to a 5-day Suspension
- Notification of Law Enforcement
- Ban from extracurricular activity, including athletics, for 3 weeks (1st offense)
- Ban from extracurricular activity, including athletics, for remainder of season and the next (2nd offense)

Furnishing or selling any controlled substance, an alcoholic beverage, or an intoxicant of any kind.

Possession with intent to sell any controlled substance.

Offering, arranging, or negotiating to sell any controlled substance.

**Consequences:**

- 5-day Suspension pending expulsion
- Recommendation for expulsion
- Notification of Law Enforcement

**BIKES, SKATEBOARDS, ROLLERSKATES, ROLLERBLADES, SCOOTERS**

No riding of including but not limited to bicycles, skateboards, rollerskates, rollerblades, and scooters.

**Consequences:**

- Confiscation of item with return to parent
- Possible after school detention or Saturday School
- Loss of privilege to have item at school

**CLOSED CAMPUS VIOLATIONS**

Students are not allowed to leave campus in the time between when their first class begins and their last class ends, including lunch, break, and when a student has a period with no class in-between two other scheduled classes.

**Possible Consequences:**

- Detention
- Parent contact
- Saturday School
- Suspension

**DANGEROUS OBJECTS**

Possessing any object(s) which could be considered dangerous object(s)

**Consequences (depending on object):**

- Warning and/or other alternative consequence
- Suspension
- Possible recommendation for expulsion
- Possible notification of Law Enforcement

**Second Offense:**

- Three-day suspension
- Possible recommendation for expulsion
- Possible notification of Law Enforcement

**Third Offense:**

- Five-day suspension
- Possible recommendation for expulsion

- Possible notification of Law Enforcement

Possession of any object(s) a school administrator identifies as disruptive.

**Consequences:**

- Warning and/or other alternative consequence

**Second Offense:**

- Three-day suspension

**Third Offense:**

- Five-day suspension and recommendation for alternative education

Possessing, selling, or otherwise furnishing any firearm, knife, explosive, or other dangerous object.

**Consequences:**

- Suspension pending expulsion
- Recommendation for expulsion

## **DISOBEDIENCE & DEFIANCE & DISRESPECT**

Students are expected to respect and obey the authority of school personnel. Showing defiance of school personnel by either word or act is a disruption to a productive learning environment and is unacceptable student conduct.

**Examples include:**

- Any act of defiance or disobedience against school personnel.
- Failure to identify oneself.
- Being in a parking lot or out-of-bounds.
- Interfering with the peaceful conduct of the campus or classroom.
- Willful defiance or disruption of school activities
- Threatening school personnel.

**Possible Consequences:**

- Detention
- Parent-student conference
- 1 to 5 day suspension
- Suspension pending expulsion
- Recommendation for expulsion

## **DRESS & APPEARANCE**

Dress, grooming or appearance disrupting to a safe and healthy learning environment and/or in violation of the Dress Code.

In accordance with California Education Code (AB537, 35183, 35294.1.1), SVHS enforces appropriate dress on campus and at school functions: Zero tolerance for apparel, emblems, accessories, backpacks, binders, buttons, or other ornamentations that is gang-related, sexually suggestive, physically threatening, or that promotes violence, drugs, discrimination, alcohol, tobacco, profanity, or insults.

- Undergarments, including bra straps and boxer shorts, must be completely covered by non-sheer clothing.
- Torso must be completely covered, including midriff, stomach, and lower abdomen.
- Sleeveless tops must have straps and must cover backs.
- Shorts and skirts must be of appropriate length.
- Pants must cover rear and undergarments, even when seated.
- Shoes must be worn at all times.

School administration has final authority on what constitutes inappropriate dress.

**Consequences:**

- Warning and/or other alternative consequence including but not limited to: Being asked to change clothing
- Student may be provided a cover article of clothing to wear over inappropriate clothing
- Student may be sent home to complete a change of clothing
- Clothing or accessories may be confiscated
- Phone call home

### **CELL PHONES AND OTHER ELECTRONIC DEVICES**

In class cell phones and other electronic devices may be used only for academic purposes and exclusively by permission of the teacher. Teachers have the discretion to prohibit use of cell phones in class entirely.

#### **1st offense**

- teacher managed

#### **2nd offense (in any class)**

- phone confiscated and delivered to office, returned at end of school-day, lunch detention

#### **3rd offense**

- phone confiscated and delivered to office, after school detention, phone returned after detention, parent contact

#### **4th offense**

- phone confiscated and delivered to office, 2 after school detentions, parent phone pickup

Further offenses could result in Saturday School or Suspension

The use of electronics to record teachers, staff or students in any format including audio recording, video recording, still photography etc. without written consent of all parties involved is prohibited. Posting recordings in any public forum, internet or otherwise, without written consent of all individuals involved is also prohibited.

The school is not responsible for any loss, theft, or damage to any cell phone, smart phone, iPod, iPad, tablet device, and/or any handheld electronic device, laptop computer, or any other personal electronic device that students may bring to school. It is the responsibility of students' to keep electronic devices secure during the school day or when they are on campus.

### **GAMBLING**

Gambling and/or wagering where money or objects of value are exchanged is prohibited

#### **Possible Consequences:**

- Warning and/or other alternative consequence
- Detention
- 1 to 5 day suspension

### **HATE CRIMES**

Causing, attempting to cause, threatening to cause, or participation in an act of hate violence.

#### **Consequences:**

- Three-day suspension
- Possible notification of Law Enforcement

#### **Second Offense:**

- Five-day suspension
- Possible notification of Law Enforcement

#### **Third Offense:**

- Five-day suspension
- Recommendation for expulsion
- Possible notification of Law Enforcement

## **PHYSICAL CONTACT AND FIGHTING**

All forms of fighting, including aggressive physical contact of any kind, or conspiracies to engage in fighting are prohibited. This includes fights initiated at school but taking place elsewhere. Students involved in a fight will receive a suspension, and information regarding this suspension will be included in the student's permanent record file. Additionally, law enforcement may be notified and a citation issued.

Attempting, or threatening to cause physical injury.

### **Consequences:**

- 3-5 day suspension
- Possible notification of Law Enforcement

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

### **Consequences:**

- Recommendation for expulsion
- Notification of Law Enforcement

Instigating a fight, whether or not it occurred

### **Consequences:**

- Detention, parent conference
- Possible suspension

## **PROFANE, VULGAR, OR OBSCENE ACTS**

Committing an obscene act or engaging in habitual profanity or vulgarity, including racial/ethnic slurs, verbal or written.

### **Consequences:**

- 1 to 5 day suspension depending on severity and pervasiveness

## **SEXUAL HARASSMENT**

Each student in this school has a right to be free from any form of harassment. Sexual harassment of students at school or at school-sponsored or school related activities is prohibited. Retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment is also prohibited.

**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.**

Any student who engages in sexual harassment or sexual violence at school or at a school-sponsored or school related activity is in violation of this policy and shall be subject to disciplinary action (BP 5145.7). In imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

### **Possible consequences:**

- Suspension (number of days determined by severity of behavior)
- Notification of Law Enforcement
- Recommendation for expulsion

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

- Unwelcome leering, sexual flirtations, or propositions

- Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
- Graphic verbal comments about an individual's body or overly personal conversation
- Sexual jokes, derogatory posters, notes, stories, drawings, pictures, or obscene gestures, of a sexual nature
- Spreading sexual rumors
- Teasing or sexual remarks about students enrolled in a predominantly single-sex class
- Massaging, grabbing, fondling, stroking, or brushing the body
- Touching an individual's body or clothes in a sexual way
- Impeding movements or any physical interference with school activities when directed at an individual on the basis of sex
- Displaying sexually suggestive objects
- Sexual assault, sexual battery, or sexual coercion

Any student who believes that he/she has been subjected to sexual harassment or who has witnessed sexual harassment is strongly encouraged to report the incident to his/her teacher, the principal, or any other available school employee.

### **STUDENT VEHICLES & PARKING RULES**

The speed limit on campus for all vehicles is ten miles per hour (10 mph).

All drivers are required to observe and follow all traffic signs posted on campus.

Drivers must follow the proper traffic lanes and abide by all traffic laws pertaining to the operation of a vehicle.

Students who violate the vehicle and parking rules face disciplinary action and/or suspension of their driving and parking privilege.

#### **Consequences:**

- Student vehicles parked in Visitor, Staff Parking, or other areas not designated as student parking will be cited and fined.
- Any vehicle not displaying a permit (even when one was purchased but not displayed) will be cited and fined.
- Vehicles driven on campus may be subject to search by school officials or Law Enforcement personnel (CVCS 21113A).

### **TERRORISTIC THREAT**

Committing a terroristic threat, including but not limited to a bomb threat.

#### **Consequences:**

- Suspension pending expulsion
- Recommendation for expulsion
- Notification of Law Enforcement

### **TOBACCO**

Possessing or using tobacco or tobacco products including chewing tobacco is prohibited. This includes products that contain nicotine only such as electronic cigarettes or vaporizers.

#### **Possible Consequences:**

- Suspension
- Required participation in school sponsored after school counseling program

### **VANDALISM/THEFT/EXTORTION**

- a. Causing or attempting to cause damage to property

- b. Stealing or attempting to steal school property or private property.
- c. Knowingly receiving stolen school property or private property.
- d. Violating the computer and network Electronic Information Policy.
- e. Tampering with the property of the school district and/or other person.
- f. Committing or attempting to commit robbery or extortion.

**Possible Consequences (depending upon the entire circumstances of the incident(s):**

- Students will pay for lost/damage items
- Suspension
- Recommendation for expulsion
- Possible notification of Law Enforcement

**ARSON**

Fire-setting or attempted fire-setting.

**Consequences:**

- Five-day suspension

**Second Offense:**

- Five-day suspension
- Recommendation for expulsion

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## Vine Hill

Discipline (taken from school webpage)

School-wide PBIS (Positive Behavior Intervention and Support) is a research-based framework that has been proven to improve school climate, reduce challenging behavior, and increase academic instructional time in schools. Two primary areas of emphasis in PBIS are instruction of social behavior and prevention of problem behavior. PBIS is based on the idea that when students are taught clearly defined behavioral expectations and provided with predictable responses to their behavior, both positive and corrective, all students are more likely to meet those expectations.

Vine Hill School PBIS includes 3 main components:

### 1. Behavior Expectations

**A Vine Hill Bear follows these guidelines:**

**Be Respectful**

**Eager to Learn**

**Always Prepared**

**Responsible**

**Solve Problems**

The behavioral expectations and school procedures are taught to all students and are taught in real contexts.

**2. Kindness Program.** Through the Kindness program, “Kindness Tickets” will be used to recognize students for engaging in positive behavior. When students earn 10 Kindness Tickets, they will be honored at a Kindness Assembly, and a dollar will be donated to a non-profit organization they choose.

**3. Responding to Problem Behavior.** Despite our efforts to proactively set students up for behavioral success, there will still be incidents of problem behavior. When it comes to responding to problem behavior, we have three primary goals:

1. Make sure to keep everyone safe.
2. Minimize the loss of instructional time for all students (including the student who engaged in problem behavior).
3. Teach the student the appropriate behavior to use instead of the problem behavior.

We work hard to provide fair and consistent consequences that focus first on teaching our students the appropriate behavior and then engaging them in academic instruction as quickly as is safely possible.

Every occurrence of challenging behavior is an important opportunity to teach the appropriate, desired behavior to our students. When students violate the behavioral expectations they will be informed that their behavior was not acceptable and how it relates to the school wide rules.

Minor behavior disruptions will be handled by teachers and staff involved, and students may receive an “Uh-Oh” or “Think Again” form. These behavior reminders reteach our B.E.A.R.S. expectations to students.

Repeated behavior problems and major disruptions result in an Office Referral, parent contact, and appropriate consequences.

Minor discipline cases are best handled by the teacher. If trivial items are referred to the principal, the effectiveness for problems of a more serious nature will be lessened and children soon become aware of the ineffectiveness of the classroom teacher. If a situation arises where a child needs to be removed from the classroom, call the principal for assistance. Students should not be "kicked out" of the classroom. Situations of this sort are to be discussed with the principal and then a course of action will be set up. If you get to a point that you and/or the student needs a break, please make arrangements to send the student to a buddy room, where there should be a place for the child to sit and think about what they have done, write about the incident, or simply cool off. This is sort of a "time out." Discipline is not a group matter. A whole room should not be punished for the misdeeds of a few. Please remember to talk with students individually whenever possible. Consequences should be appropriate to the infraction and should support our philosophy of discipline. We want children to learn from their mistakes as opposed to punishment. It is the intention of the principal to support every staff member. There are behavior expectations for bathrooms, hallways and quiet zone, and the playground. All staff must have the students follow these expectations. All staff must teach the students what those expectations are. It is important we are all consistent.

## **SUSPENSION AND EXPULSION REGULATIONS**

Scotts Valley Unified School District strives to have our schools safe and orderly. As part of our Safe Schools plan we enforce rules for suspension and expulsion as outlined in Education Code and District policy. Each site also has school rules and consequences that align with district regulations on suspension and expulsion. Students may be subject to suspension or expulsion for committing any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person (Education Code 48900(a)) (Mandatory recommendation for expulsion if serious physical injury occurs, except in self defense.)
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 certificate of school employee, with the principal or designee's concurrence (Education Code 48900(c)) (Mandatory expulsion.)
3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in the Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c)) (Mandatory recommendation for expulsion.)
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)) (Mandatory expulsion.)
5. Committed or attempted to commit robbery or extortion (Education Code 48900(e)) (Mandatory recommendation for expulsion.)
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 or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code (Education Code 48900(j))
11. Disrupted school activities or otherwise willfully defied 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))
12. Knowingly received stolen school property or private property (Education Code 48900(l))
13. 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 (Education Code 48900(m))

Students in grades 4 through 12 are also subject to suspension or recommendation for expulsion for any of the acts listed below:

14. Committed sexual harassment as defined in Education Code 212.5 (Education Code 48900.2)
15. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5 (Education Code 48900.3)
16. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having 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)

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## Brook Knoll

### CODE OF CONDUCT & RULES (from school website)

#### IS IT SAFE, IS IT COURTEOUS, IS IT MY BEST WORK?

DISCIPLINE at Brook Knoll is to help each child build a positive self-image, to learn, and to grow cooperatively with others.

Each day starts a new and clean experience for each child. References to previous mistakes are avoided whenever possible. Our discipline expectations are listed below:

Listen to and obey adults employed by the school; teachers, aides, volunteers, parents, etc.

Follow directions and obey school and classroom rules. When school or classroom rules are broken, the child can expect consequences. Whenever possible we deal with discipline problems at school. On occasions, however, in order to maintain an adequate learning environment for the other children we may find it necessary to remove a child who causes a serious disturbance. On these occasions, the principal or the teacher will call a parent, either at home or work, and ask the parent to come and take the child home. We ask that on these occasions, you talk with your child about the situation and use the kind of discipline that is uniquely effective with your child. Parents help a great deal by reinforcing school rules at every opportunity and by expressing positive feelings about school to their children. The rules and consequences are posted in each room.

Scotts Valley Unified School District strives to have our schools safe and orderly. As part of our Safe Schools plan we enforce rules for suspension and expulsion as outlined in Education Code and district policy. Please refer to the separate flier listing the regulations for suspension and expulsion.

Listed below are the general rules for the entire school:

**TARDIES:** It is imperative children arrive at school on time (8:15 intermediate; 8:20 primary and AM kindergarten; 11:55 PM kindergarten). When children arrive late, it is disruptive and disrespectful to other members of the classroom and the teacher. Children who are tardy miss instruction. This instruction must be repeated for the benefit of the child who is tardy, thereby interrupting total class progress.

**CONSEQUENCES FOR TARDIES:** The teacher may take the option to have the child make up double time he/she has missed. A student who is consistently late will be sent to the office and parents will be called to assist us in solving this problem.

**TARDY FROM RECESS:** The classroom teacher will decide the consequence. ("You owe me 3 minutes") - cleared on an hourly basis.

**LUNCHTIME:** The lunchtime expectations include:

1. All children will eat in assigned areas.
2. All children will wait to be excused by the person(s) on yard duty.
3. All litter will be placed in trashcans.
4. Throwing of food will not be tolerated.

5. All children will stay on their designated playground and out of the corridors and parking lot.
6. No glass containers on campus during lunchtime or recess.

**PLAYGROUND:** The playground expectations include:

1. Use of appropriate language and gestures.
2. No fighting or rough play.
3. No throwing of rocks, sand or dirt.
4. Listening to and obeying playground supervisors immediately.
5. Obeying rules of safety in games and in use of playground equipment. (These will be explained to the students in detail.)
6. Playing in designated areas and not in the courtyard, parking lot, or bathrooms.
7. Using the slides correctly. (No walking up or down the slide.)
8. Sitting on the swings.
9. Playing away from the swings (not under them).
10. Jumping off the swings is not allowed.
11. Skateboards, skates, skateshoes, frisbees or yo-yos are not allowed.
12. No hardballs or bats.
13. No toy guns, pocketknives or caps.
14. Sandbanks, trees or fences are “off limits”.

**BATHROOMS:** The bathroom expectations include:

1. No playing in bathrooms.
2. No throwing or unnecessary use of toilet paper or paper towels.
3. Flush toilets/urinals after use

**CONSEQUENCES FOR BREAKING LUNCHTIME/PLAYGROUND/BATHROOM RULES:**

1. The student will be immediately “benched” for 10 minutes.
2. A behavior record form will be given by yard duty personnel to teacher, and/or counselor/principal.
3. Repeated behavior or Ed. Code violations will result in a behavior referral to the office.
4. Repeated violations will result in increased consequences, and behavior which violates State Ed. Codes may result in the parent/guardian being asked to come take your child home for the remainder of the day or the length of a suspension.

**LIBRARY:** Children are expected to:

1. Have a library pass.
2. Use soft voices.
3. Bring no food into the library.
4. Return or renew books on time.

**CONSEQUENCES FOR BREAKING LIBRARY RULES:**

1. Warning.
2. Student must leave library.
3. Student may not check out a book until all books are returned and/or fine is paid.

**GOING AND COMING TO SCHOOL:**

1. Do not go over or under the fence.
2. Once at school no one may leave the campus, unless checked out by the parent/guardian.
3. Walk all bikes on and off campus.

#### **CONSEQUENCES FOR GOING AND COMING TO SCHOOL:**

1. Classroom teacher is notified.
2. Classroom teacher will decide the consequences.
3. If student continues to break these rules, parents will be notified by the principal or teacher.

In order for the children to understand we have your support, we need you to read and discuss these rules and consequences with your child.

Again, discipline is to teach students that every behavior has a consequence. Rules are for everyone's safety. An orderly environment gives a student safety and security. Please help us make our school and playgrounds safe.

#### **SUSPENSION AND EXPULSION REGULATIONS**

Scotts Valley Unified School District strives to have our schools safe and orderly. As part of our Safe Schools plan we enforce rules for suspension and expulsion as outlined in Education Code and District policy. Each site also has school rules and consequences that align with district regulations on suspension and expulsion. Students may be subject to suspension or expulsion for committing any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person (Education Code 48900(a)) (Mandatory recommendation for expulsion if serious physical injury occurs, except in self defense.)
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 certificate of school employee, with the principal or designee's concurrence (Education Code 48900(c)) (Mandatory expulsion.)
3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in the Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c)) (Mandatory recommendation for expulsion.)
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)) (Mandatory expulsion.)
5. Committed or attempted to commit robbery or extortion (Education Code 48900(e)) (Mandatory recommendation for expulsion.)
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 or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))
12. Knowingly received stolen school property or private property (Education Code 48900(l))
13. 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 (Education Code 48900(m))

Students in grades 4 through 12 are also subject to suspension or recommendation for expulsion for any of the acts listed below:

14. Committed sexual harassment as defined in Education Code 212.5 (Education Code 48900.2)
15. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5 (Education Code 48900.3)
16. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having 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)

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## Section J: Hate Crime Reporting Procedures and Policies

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### Students

BP 5145.3(a)

#### NONDISCRIMINATION/HARASSMENT

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

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

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

*(cf. 5131 - Conduct)*

*(cf. 5131.2 - Bullying)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5145.9 - Hate-Motivated Behavior)*

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

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

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

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

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

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. He/she shall provide training and information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or

designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the educational program. He/she shall report his/her findings and recommendations to the Board after each review.

(cf. 1312.3 - Uniform Complaint Procedures)  
(cf. 1330 - Use of Facilities)  
(cf. 4131 - Staff Development)  
(cf. 4231 - Staff Development)  
(cf. 4331 - Staff Development)  
(cf. 6145 - Extracurricular and Cocurricular Activities)  
(cf. 6145.2 - Athletic Competition)  
(cf. 6164.2 - Guidance/Counseling Services)

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

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

*Legal Reference:*

EDUCATION CODE

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

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

PENAL CODE

422.55 Definition of hate crime  
422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

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

UNITED STATES CODE, TITLE 20

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

UNITED STATES CODE, TITLE 29

## **NONDISCRIMINATION/HARASSMENT** (continued)

### UNITED STATES CODE, TITLE 42

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

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

6101-6107 Age Discrimination Act of 1975

### CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

### CODE OF FEDERAL REGULATIONS, TITLE 34

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

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

### COURT DECISIONS

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

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

### *Management Resources:*

### CSBA PUBLICATIONS

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

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

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

### FIRST AMENDMENT CENTER PUBLICATIONS

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

### NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

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

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

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, January 1999

### WEB SITES

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

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

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

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

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

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

(4/13 2/14) 10/14

Regulation

approved: May 13, 2014

revised: January 27, 2015

**SCOTTS VALLEY UNIFIED SCHOOL DISTRICT**

Scotts Valley, California



**NONDISCRIMINATION/HARASSMENT**

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with state and federal civil rights laws, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints regarding unlawful discrimination, including discriminatory harassment, intimidation, or bullying, based on actual race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or any other legally protected status; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

Superintendent

(title or position)

Scotts Valley Unified School District

(address)

4444 Scotts Valley Drive, Scotts Valley, C 95066

(address)

831-438-1820

(telephone number)

*(cf. 1312.1 - Complaints Concerning District Employees)*

*(cf. 1312.3 - Uniform Complaint Procedures)*

**Measures to Prevent Discrimination**

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, employees, volunteers, and the general public and post them on the district's web site and other locations that are easily accessible to students. (Education Code 234.1)

*(cf. 1113 - District and School Web Sites)*

*(cf. 1114 - District-Sponsored Social Media)*

2. Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior. (Education Code 234.1)

## **NONDISCRIMINATION/HARASSMENT (continued)**

3. Annually notify all students and parents/guardians of the district's nondiscrimination policy. The notice shall inform students and parents/guardians of the possibility that students will participate in a sex-segregated school program or activity together with another student of the opposite biological sex, and that they may inform the compliance officer if they feel such participation would be against the student's religious beliefs and/or practices or a violation of his/her right to privacy. In such a case, the compliance officer shall meet with the student and/or parent/guardian who raises the objection to determine how best to accommodate that student. The notice shall inform students and parents/guardians that the district will not typically notify them of individual instances of transgender students participating in a program or activity.

*(cf. 5145.6 - Parental Notifications)*

4. The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

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

5. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include guidelines for addressing issues related to transgender and gender-nonconforming students.

*(cf. 1240 - Volunteer Assistance)*

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

6. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)
7. At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate assistance or resources to protect students' privacy rights and ensure their safety from threatened or potentially discriminatory behavior.

### **Enforcement of District Policy**

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

## **NONDISCRIMINATION/HARASSMENT (continued)**

1. Removing vulgar or offending graffiti

*(cf. 5131.5 - Vandalism and Graffiti)*

2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination and how to respond
3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to students, parents/guardians, and the community

*(cf. 4112.6/4212.6/4312.6 - Personnel Files)*

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

*(cf. 5125 - Student Records)*

5. Taking appropriate disciplinary action against perpetrators and anyone determined to have engaged in wrongdoing, including any student who is found to have made a complaint of discrimination that he/she knew was not true

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

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

*(cf. 5144 - Discipline)*

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

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

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

### **Process for Initiating and Responding to Complaints**

Any student who feels that he/she has been subjected to unlawful discrimination described above or in district policy is strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, any student who observes any such incident is strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When any report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is submitted to or received by the principal or compliance officer, he/she shall inform the student or parent/guardian of the right to file a formal complaint pursuant to the provisions in AR 1312.3 - Uniform Complaint Procedures. Any report of unlawful discrimination involving the

## **NONDISCRIMINATION/HARASSMENT (continued)**

principal, compliance officer, or any other person to whom the complaint would ordinarily be reported or filed shall instead be submitted to the Superintendent or designee. Even if the student chooses not to file a formal complaint, the principal or

compliance officer shall implement immediate measures necessary to stop the discrimination and to ensure all students have access to the educational program and a safe school environment.

Upon receiving a complaint of discrimination, the compliance officer shall immediately investigate the complaint in accordance with the district's uniform complaint procedures specified in AR 1312.3.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

### **Transgender and Gender-Nonconforming Students**

*Gender identity* means a student's gender-related identity, appearance, or behavior, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

*Gender expression* means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

*Gender transition* refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

*Gender-nonconforming student* means a student whose gender expression differs from stereotypical expectations.

*Transgender student* means a student whose gender identity or gender expression is different from that traditionally associated with the assigned sex at birth.

Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, regardless of whether they are sexual in nature, where the act 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 are prohibited under state and federal law. Examples of types of conduct which are prohibited in the district and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with his/her gender identity
2. Disciplining or disparaging a transgender student because his/her mannerisms, hairstyle, or style of dress correspond to his/her gender identity, or a non-transgender student because his/her mannerisms, hairstyle, or style of dress do not conform to stereotypes for his/her gender or are perceived as indicative of the other sex
3. Blocking a student's entry to the bathroom that corresponds to his/her gender identity because the student is transgender or gender-nonconforming

## **NONDISCRIMINATION/HARASSMENT** (continued)

4. Taunting a student because he/she participates in an activity more typically favored by a student of the other sex
5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information
6. Use of gender-specific slurs
7. Physical assault of a student motivated by hostility toward him/her because of his/her gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students. Examples of bases for complaints include, but are not limited to, the above list as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

1. **Right to privacy:** A student's transgender or gender-nonconforming status is his/her private information and the district will only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In the latter instance, the district shall limit disclosure to individuals reasonably believed to be able to protect the student's well-being. Any district employee to whom a student discloses his/her transgender or gender-nonconforming status shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless he/she is required to disclose or report the student's information pursuant to this procedure, and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to his/her status as a transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the physical, emotional, and other significant risks to the student, the compliance officer may consider discussing with the student any need to disclose the student's transgender or gender-nonconformity status to his/her parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

*(cf. 1340 - Access to District Records)*

*(cf. 3580 - District Records)*

2. **Determining a Student's Gender Identity:** The compliance officer shall accept the student's assertion unless district personnel present a credible basis for believing that the student's

assertion is for an improper purpose. In such a case, the compliance officer shall document the improper purpose and, within seven school days of receiving notification of the student's assertion, shall provide a written response to the student and, if appropriate, to his/her parents/guardians.

3. **Addressing a Student's Transition Needs:** The compliance officer shall arrange a meeting with the student and, if appropriate, his/her parents/guardians to identify potential issues, including transition-related issues, and to develop strategies for addressing them. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to his/her status as a transgender or gender-nonconforming individual, so that prompt action could be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the student's arrangements are meeting his/her educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.
4. **Accessibility to Sex-Segregated Facilities, Programs, and Activities:** The district may maintain sex-segregated facilities, such as restrooms and locker rooms, and sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs. A student shall be entitled to access facilities and participate in programs and activities consistent with his/her gender identity. If available and requested by any student, regardless of the underlying reason, the district shall offer options to address privacy concerns in sex-segregated facilities, such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, access to a staff member's office, or use of the locker room before or after the other students. However, the district shall not require a student to utilize these options because he/she is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with his/her gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with his/her gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

*(cf. 6145.2 - Athletic Competition)*

*(cf. 6153 - School-Sponsored Trips)*

*(cf. 7110 - Facilities Master Plan)*

5. **Student Records:** A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed pursuant to a court order. However, at the written request of a student or, if appropriate, his/her parents/guardians, the district shall use the student's preferred name and pronouns consistent with his/her gender identity on all other district-related documents.

*(cf. 5125 - Student Records)*

*(cf. 5125.1 - Release of Directory Information)*

## **NONDISCRIMINATION/HARASSMENT** (continued)

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronouns consistent with his/her gender identity, without the necessity of a court order or a change to his/her official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns shall not constitute a violation of this administrative regulation or the accompanying district policy.
7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with his/her gender identity, subject to any dress code adopted on a school site.

*(cf. 5132 - Dress Code)*

(2/14) 10/14

Regulation  
approved: May 13, 2014  
revised: January 27, 2015

**SCOTTS VALLEY UNIFIED SCHOOL DISTRICT**  
ScottsValley, California

## **Appendix A: Healthy Kids Survey Longitudinal Data - Secondary**