

**Paradise Canyon Elementary
School**

**SB 187
Comprehensive School
Safety Plan**

2016- 2017

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Education Code

Education Code

Article 5. School Safety Plans

EC 32280

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

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

Education Code

Education Code

School Safety Plans

EC 32281

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

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

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

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

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

(C) One parent whose child attends the school.

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

(E) Other members, if desired.

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

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

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

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

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

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

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

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

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

Reference:

Education Code 48915

Education Code 52012 (Repealed)

Education Code 52852

Education Code 67381

Education Code

Education Code

School Safety Plans

EC 32282

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 32288.

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

Reference:

42 USC 12101 et seq

Education Code 200

Education Code 32285

Education Code 32288

Education Code 35183

Education Code 35291

Education Code 35291.5

Education Code 48900

Education Code 48915

Education Code 48950

Education Code 49079

Penal Code 628

Penal Code 11164

Education Code

Education Code

School Safety Plans

EC 32286

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

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

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

Reference:

Education Code 33126

Education Code 35256

1. SUMMARY OF CHANGES

Updates and Revisions:

Section 1	Summary of Changes
Section 2	Assurances (signature) page
Section 3	LCUSD School Crime Report
Section 4	Child Abuse Report data
Section 5	School Site Disaster Plan – Personnel Assignments
Section 6	LCUSD K-6 Suspension Report Form
Section 10	School Safety
Section 13	Hate-Crime Report

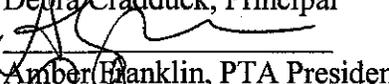
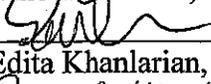
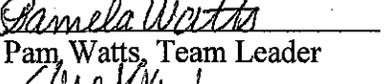
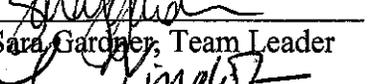
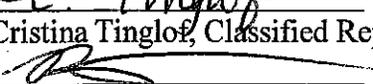
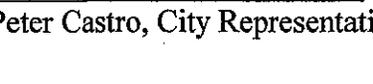
2. ASSURANCES

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

- An assessment of the current status of school or school-related crimes
- Child abuse reporting procedures
- Disaster procedures, routine and emergency
- Policies related to suspension, expulsion or mandatory expulsion and other school designated serious acts which would lead to suspension or expulsion
- Procedures regarding teacher notification of dangerous students pursuant to EC 49079
- Sexual harassment policy pursuant to EC 212.6(b)
- Provisions of any school wide dress code, established pursuant to EC 25183
- Procedures for safe ingress and egress to and from school
- A safe and orderly environment conducive to learning
- Rules and procedures on school discipline adopted pursuant to EC 35291 and 35291.5
- Hate crime reporting procedures pursuant to chapter 1.2 of Title 15 of the Penal Code

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

- The plan was written and developed by the School Site Council pursuant to EC 52012 or 52852
- The School Site Council consulted with a representative from a law enforcement agency regarding the writing and development of the plan
- A public hearing was held by the School Site Council on January 26, 2016
- Public input was solicited through vehicle of the School Site Council, which meets monthly.

 Edita Khanlarian, SCC President	1/26/16 Date
 Debra Craddock, Principal	1/26/16 Date
 Amber Franklin, PTA President	1/26/16 Date
 Edita Khanlarian, Team Leader	1/26/16 Date
 Pam Watts, Team Leader	1/26/16 Date
 Sara Gardner, Team Leader	1/26/16 Date
 Cristina Tinglof, Classified Representative	1-26-16 Date
 Peter Castro, City Representative	1/26/16 Date

3. ASSESSMENT OF CURRENT STATUS OF SCHOOL CRIME

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

Following in this component is:

School Crime Report Form

CURRENT STATUS OF SCHOOL CRIME

There were no reports of school-related crime as of January 26, 2016.

4. CHILD ABUSE REPORTING PROCEDURES

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

Following in this component are:

- Board Policy BP 5141.4
- Administrative Regulation AR 5141.4
- Exhibit E 5141.4

- La Canada USD | 5000 | AR 5141.4 Students

Child Abuse Reporting Procedures

Duty to Report

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

Definitions

"Child Abuse" includes the following:

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

Child abuse or neglect does not include:

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment (Penal Code 11165.6)
3. The exercise by a teacher, vice principal, principal or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An amount of force that is reasonable and necessary for a school employee to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of the students (Education Code 49001)
5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by the student (Education Code 49001)

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

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

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

"Reasonable Suspicion" means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

Reportable Offenses

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

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

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

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

Reporting Procedures

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

Department of Children & Family Services

3075 Wilshire Blvd., 5th Floor

Los Angeles, California 90010

(800) 540-4000

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Legal Responsibility and Liability

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

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

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

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

Victim Interviews

Upon request, a child protective agency representative may interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

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

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

Release of Child to Peace Officer or Child Protective Services Agent

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

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

(cf. 5145.11 - Questioning and Apprehension)

When School Employees are Accused of Child Abuse

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

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

To file a complaint against a district employee or other person suspected of child abuse or neglect at a school site, parents/guardians may file a report by telephone, in person or in writing with any appropriate agency identified above under "Reporting Procedures."

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

(cf. 1312.3 - Uniform Complaint Procedures)

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

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

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

(cf. 4117.4 - Dismissal)

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

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

Notifications

The Superintendent or designee shall give persons hired by the district a statement informing them that they are mandated by law to report suspected child abuse and neglect, inform them of their reporting obligations under Penal Code 11166, and provide a copy of Penal Code 11165.7 and 11166. Before beginning employment, employees shall sign the statement indicating that they have knowledge of the reporting obligations under Penal Code 11166 and that they will comply with those provisions. The signed statements shall be retained by the Superintendent or designee. (Penal Code 11166.5)

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

The Superintendent or designee shall also notify all employees that:

1. A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report. Any other person making a report shall not incur civil or criminal liability unless it can be proven that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172).
2. If a mandated reporter fails to report an incident of known or reasonably suspected child abuse or neglect, he/she is guilty of a misdemeanor punishable by a fine and/or imprisonment. (Penal Code 11166)
3. No employee shall be subject to any sanction by the district for making a report. (Penal Code 11166)

Administrative LA CANADA UNIFIED SCHOOL DISTRICT

approval: May 13, 2003 La Canada Flintridge, California

Child Abuse Reporting Procedures

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

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 5141.41 - Child Abuse Prevention Program)

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

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

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

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

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

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

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

Legal Reference:

EDUCATION CODE

33308.1 Guidelines on procedure for filing child abuse complaints

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

48906 Notification when student released to peace officer

48987 Dissemination of reporting guidelines to parents

PENAL CODE

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

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

288 Definition of lewd or lascivious act requiring reporting

11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

15630-15637 Dependent adult abuse reporting

CODE OF REGULATIONS, TITLE 5

4650 Filing complaints with CDE, special education students

Management Resources:

CDE LEGAL ADVISORIES

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

WEB SITES

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

School/Law Enforcement Partnership:

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

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

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

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

Policy LA CANADA UNIFIED SCHOOL DISTRICT

adopted: May 13, 2003 La Canada Flintridge, California

E 5141.4 Students

Child Abuse Reporting Requirements

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

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

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

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

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

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

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

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

LA CANADA UNIFIED SCHOOL DISTRICT

La Canada Flintridge, California

CHILD ABUSE REPORTING

There were 0 reports of child abuse as of January 26, 2016.

SUSPECTED CHILD ABUSE REPORT

To Be Completed by Reporting Party
Pursuant to Penal Code Section 11166

A. CASE IDENTIFICATION	TO BE COMPLETED BY INVESTIGATING CPA
	VICTIM NAME: _____
	REPORT NO./CASE NAME: _____
	DATE OF REPORT: _____

B. REPORTING PARTY	NAME/TITLE		
	ADDRESS		
	PHONE ()	DATE OF REPORT	SIGNATURE

C. REPORT SENT TO	<input type="checkbox"/> POLICE DEPARTMENT <input type="checkbox"/> SHERIFF'S OFFICE <input type="checkbox"/> COUNTY WELFARE <input type="checkbox"/> COUNTY PROBATION		
	AGENCY	ADDRESS	
	OFFICIAL CONTACTED	PHONE ()	DATE/TIME

D. INVOLVED PARTIES	NAME (LAST, FIRST, MIDDLE)		ADDRESS		BIRTHDATE	SEX	RACE		
	PRESENT LOCATION OF CHILD					PHONE ()			
	NAME	BIRTHDATE	SEX	RACE	NAME	BIRTHDATE	SEX	RACE	
	1. _____				4. _____				
	2. _____				5. _____				
	3. _____				6. _____				
NAME (LAST, FIRST, MIDDLE)		BIRTHDATE	SEX	RACE	NAME (LAST, FIRST, MIDDLE)		BIRTHDATE	SEX	RACE
ADDRESS				ADDRESS					
HOME PHONE ()		BUSINESS PHONE ()		HOME PHONE ()		BUSINESS PHONE ()			

E. INCIDENT INFORMATION	IF NECESSARY, ATTACH EXTRA SHEET OR OTHER FORM AND CHECK THIS BOX. <input type="checkbox"/>	
	1. DATE/TIME OF INCIDENT	PLACE OF INCIDENT (CHECK ONE) <input type="checkbox"/> OCCURRED <input type="checkbox"/> OBSERVED
	IF CHILD WAS IN OUT-OF-HOME CARE AT TIME OF INCIDENT, CHECK TYPE OF CARE: <input type="checkbox"/> FAMILY DAY CARE <input type="checkbox"/> CHILD CARE CENTER <input type="checkbox"/> FOSTER FAMILY HOME <input type="checkbox"/> SMALL FAMILY HOME <input type="checkbox"/> GROUP HOME OR INSTITUTION	
	2. TYPE OF ABUSE: (CHECK ONE OR MORE) <input type="checkbox"/> PHYSICAL <input type="checkbox"/> MENTAL <input type="checkbox"/> SEXUAL ASSAULT <input type="checkbox"/> NEGLECT <input type="checkbox"/> OTHER	
	3. NARRATIVE DESCRIPTION:	
4. SUMMARIZE WHAT THE ABUSED CHILD OR PERSON ACCOMPANYING THE CHILD SAID HAPPENED:		
5. EXPLAIN KNOWN HISTORY OF SIMILAR INCIDENT(S) FOR THIS CHILD:		

INSTRUCTIONS AND DISTRIBUTION ON REVERSE

DO NOT submit a copy of this form to the Department of Justice (DOJ). A CPA is required under Penal Code Section 11169 to submit to DOJ a Child Abuse Investigation Report Form SS-8583 if (1) an active investigation has been conducted and (2) the incident is not unfounded.

5. DISASTER PROCEDURE, ROUTINE AND EMERGENCY

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

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

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

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

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

The district has purchased and installed the Connect-Ed phone service. This service allows school personnel to contact all parents/guardians immediately in case of an emergency. The service will also be used to communicate important events and deadlines to parents/guardians/

Following in this component are:

- LCUSD Disaster Preparedness Plan
- PCY School Disaster Plan

LA CAÑADA UNIFIED SCHOOL DISTRICT
DISASTER PREPAREDNESS PLAN

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

GENERAL GUIDELINES FOR ALL EMERGENCIES AND DRILLS

Any staff member who is away from his/her position will immediately proceed to the Emergency Assembly Area [EAA]. Teachers will ascertain the extent of injuries and the feasibility for class evacuation. The teacher will determine the need of assistance from neighboring teachers. Staff will use the buddy system whenever possible in evacuating the buildings.

Students should be evacuated to the Emergency Assembly Area [EAA] in an orderly manner with no talking and no running. Teachers shall set the example by limiting their talking to directions for student control only. The teacher or assigned staff member shall lead the class (students wait outside the door until the teacher gets out of the room). The teacher should be the last one to leave the room and should check to see that everyone that is physically able is out. Close the door leaving it unlocked. If there is a problem within the room or students are left behind, you should place a red tag on the door handle. (Tags are near exit doors) If the room is clear place a green tag on the door. Once staff and students are at the EAA, secure the area and direct all non-school persons to the communications gate.

It is important for teachers to familiarize themselves with the exit routes for each room they use.

Teachers should take their roll books, attendance sheets and emergency back-packs. Back-packs should be located near the exit door and all staff that use the room should be aware of its' location. At the EAA, roll should be taken using the Emergency Disaster Attendance Form (found in your back-pack, more can be obtained from the Emergency Operations Center[EOC]) identifying students as present, previously marked absent, or missing.

Teachers should make sure that disabled students are assisted. Teachers should discuss with their students that any student in the lavatories or otherwise out of the classroom should join the nearest class group exiting; proceed to the EAA, then with permission of those in charge, join their own class or group by reporting to the teacher. If between classes, line-up in homeroom. (SSR for LCHS)

Each group must remain in its assigned location with the teachers supervising and reassuring the students throughout the duration of the emergency. If the EOC determines it to be safe to re-enter the buildings a specific ALL CLEAR signal (one (1) continuous 30 second bell) is sounded. Students and teachers shall return following the same rules as for leaving the building (no talking, running, etc.). If the emergency lasts past the regular school hours or buildings are not safe to return to, the EOC may direct that students will be released to parents or guardians or according to instructions on the Emergency card. The procedure is as follows: The person named on the students Emergency Card or Emergency Disaster Information Card may assume the responsibility for a student by signing the Emergency Disaster Release Card for each student they take into their custody. Release cards are at the communication gate. Eighteen year old or over students may leave upon signing out at the reunion gate. Teachers will remain with students until released.

During a disaster all employees are to remain at school until released by the principal/designee. Any staff member that is not at a school site during an emergency should make every effort to return to their site and report in at the EOC. If any staff member is at another school site they should evacuate as outlined and report to that site's EOC. The EOC should then attempt to notify the staff members site of their whereabouts. Such staff members may then be assigned a task or be ordered to return to their site whichever is mutually agreed upon by the sites. DO staff will report to PCR and Maintenance staff will report to the nearest school for assignments. Maintenance office staff should coordinate with Foothills School staff.

DISASTER DURING SCHOOL HOURS

EVACUATION SIGNAL

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

FIRE

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

POWER FAILURE

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

EARTHQUAKE

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

1. Drop, Cover, and Hold; Students in the classroom or other rooms shall take cover under desks or tables holding on to furniture with one hand and covering their head and neck with the other (see picture below), or sit or stand against an inside wall or in an inside doorway. Students should stay away from windows and outside doors. Students on the school grounds should move away from the buildings and electrical wiring, gas and water mains and drop and cover with their hands over their head. Students in the halls should drop and cover near an inner wall with their hands over their head.
2. When the initial shock has subsided the evacuation signal will be given, if operable.



Students will be evacuated to the EAA and follow previously outlined procedures for roll, etc. If there is no signal, it is assumed that individual teachers will use their own judgment to evacuate their room in a safe manner remembering to take the emergency backpack with them.

TERRORIST/GUNMAN

Upon hearing gun shots, students and staff should stay inside the classroom/building, lock doors and wait until an administrator verbally gives the all clear signal. If outside students and staff should drop to the ground and stay still. When safe, get to the nearest cover preferably inside a building. The alert signal to be used is **"This is a Lockdown, I repeat, this is a Lockdown."**

TOXIC SPILL

Students and staff should stay in their classroom until notified to move. If outside students and staff should report to their next period class quickly and quietly and remain in that class until notified to move. If airborne, Staff should go indoors, turn off all air exchange units, close windows and doors, and use cloth to block any cracks around windows or doors.

DISASTER OUTSIDE OF SCHOOL HOURS

All employees and parents should listen to the radio (KFI 640 AM, KNX 1070 AM, KFVB 980 AM, KABC 790 AM) for information regarding school opening or closing in the District. All schools will be considered OPEN unless it is specifically announced that they are closed. All staff is required to report to work as normal unless officially notified via phone tree and remain until released by the EOC.

Students walking to and from school should proceed to school or return to school and assemble at the EAA and line-up in their homeroom(SSR for LCHS).

EMERGENCY TASK GROUP ORGANIZATION AND DUTIES

All staff in all groups will:

1. Duck, Cover, and Hold
2. Evacuate
3. Assemble students on the field
4. Account for all students
5. Hand over supervision of students to another adult
6. Report to the Emergency Operations Center
7. Then perform the duties assigned as outlined in the following pages

Emergency Operations Center [EOC] - PUT LOCATION HERE

<u>Personnel</u>	<u>What they do</u>	<u>Equipment needed</u>
Principal	1. Implements and coordinates the EOC. 2. Prepares reports for Superintendent. 3. Controls internal & external communications.	bullhorn, HT, cell-phone
Secretary/School Counselor	1. Assists EOC leader in duties as assigned. 2. Assigns search teams to areas.	
Librarian	1. Accounts for the presence of all students & staff. 2. Assigns extra personnel to appropriate duties. 3. Assigns personnel to determine available resources.	homeroom rosters, teacher list, disaster attendance form, map

Equipment/Supplies needed for the EOC(some items may be in the DSB):

bullhorn, 2 - Handheld Transmitter(HT), 1 - cell-phone, homeroom rosters, teacher list, disaster attendance form, and map showing location of each teacher station at EAA(should be in the DSB)

First Aid Center – Lower Playground near CEC

(See Appendix FAC)

<u>Personnel</u>	<u>What they do</u>	<u>Equipment needed</u>
Health Clerk At least 3 Teachers	1. Administers first aid and records information on extent of injuries and treatment administered. 2. Determines need for medical assistance.	First Aid supplies from DSB
Dispatch teams to retrieve injured, 2 adults per team	1. Get location from FAC leader. 2. Go to location and bring injured back to FAC.	First Aid supplies from DSB, stretcher
<u>Equipment/Supplies needed for the First Aid Center(some items may be in the DSB):</u> Stretcher, blankets, wheelchair and first aid supplies.		

Sweep Teams - Report to the EOC then obtain equipment from DSB.

(See Appendix ST)

Work together, proceed in orderly and pre-established sweep pattern, checking each classroom, storage room, restroom, etc. visually, vocally and physically. Takes special notice of any tag on door. Using chalk, put a slash "/" on the outside of the door before entering. Report the location of all injured students and staff to the First Aid Center. After a room has been determined to be clear, the team will make the slash "/" an "X" on the door indicating the room has been swept. Confirms existence and location of fire. Notifies the EOC, rescues students, uses appropriate fire control equipment, secures area, and report back to EOC after sweep is complete.

<u>Personnel</u>	<u>Area to sweep</u>	<u>Equipment needed</u>
Team #1 2 Teachers	per site	Supplies from DSB with sweep team instructions
Team #2 2 Teachers	per site	Supplies from DSB with sweep team instructions
Team #3 2 Teachers	per site	Supplies from DSB with sweep team instructions
Team #4 2 Teachers	per site	Supplies from DSB with sweep team instructions
Team #5 2 Teachers	per site	Supplies from DSB with sweep team instructions
<u>Equipment/Supplies needed for the Sweep Teams(in the DSB):</u> Master keys, flashlights, chalk, hard hats, rope or cord. At least one of each item in individual duffel bags for each team.		

Campus Security – By Main entrances, Gould Gate, Knight Way
(See Appendix CS)

<u>Personnel</u>	<u>What they do</u>	<u>Equipment needed</u>
Psychologist Speech 2 Full Time Aides	1. Stationed at main entrances to campus to refer parents to Communications Gate and EAA. 2. Route rescue ambulance and police to area of need.	Master keys, signs to post
Campus Security Aide	1. Locks all external gates as directed.	
<u>Equipment/Supplies needed for Campus Security(some items may be in the DSB):</u>		
Master keys, signs to post.		

Damage Control/Prevention – Disaster trailer
(See Appendix DC)

<u>Personnel</u>	<u>What they do</u>	<u>Equipment needed</u>
Custodian Cafe Manager Campus Security Aide	1. Turn off gas and electric supplies if directed by EOC, and check utilities. 2. Take appropriate action to minimize damage to school site. 3. Survey and report to EOC the extent of damage to school site.	Flashlight, Master keys
<u>Equipment/Supplies needed for Damage Control/Prevention(some items may be in the DSB):</u>		
Flashlight, master keys, equipment to shut off utilities, and any other supplies needed should be placed in the DSB.		

Parental Communication – Communications Gate, Reunion Gate –Knight Way
(See Appendix COM)

<u>Personnel</u>	<u>What they do</u>	<u>Equipment needed</u>
Com. Gate At Least 4 Teachers	Immediately begins the process of reuniting students with their parents or guardians by referring to: a) Emergency Form b) Homeroom Rosters c) Emergency Disaster Information Card d) Emergency/Disaster student release card. 1. Have the parent or the person named on the Emergency Card or the Emergency Disaster Information Card complete the Disaster Release Card. 2. Write their name next to the students name on the alphabetical sibling list.(7-12 use the locator book to locate which line student(s) are in. 3. After EOC has directed, dispatch student runners to escort students to the reunion gate with the release card.	Emergency Cards, Homeroom rosters, Emergency Disaster Information Card, Emergency/Disaster Student Release Card Alphabetical sibling list, 7/8 & 9-12 Locator Book
Reunion Gate At Least 3 Teachers and/or Full Time Aides	1. Obtain release card from student runner. 2. Confirm that student recognizes the requesting individual(s) and feels secure in custody. 3. Ensure that all records are kept on students leaving campus. 4. Remove name tag from student being released and place on release card.	Box to put completed students release cards in.
<p><u>Equipment/Supplies needed for Parental Communication(some items may be in the DSB):</u> Emergency Cards, Homeroom rosters, Emergency Disaster Information Card, Emergency/Disaster Student Release Card, and box for release cards.</p>		

Student Leadership Group - Report to the EOC for assignment after teacher has taken roll.

<u>Personnel</u>	<u>What they do</u>	<u>Equipment needed</u>
Students	Highly responsible and mature students can possibly assist as messengers: 1. Attendance procedures at EAA 2. Act as runners for student reuniting. 3. In any location or responsibility where the EOC staff feels their services are appropriate.	none
<p><u>Equipment/Supplies needed for Damage Control/Prevention(some items may be in the DSB):</u> None</p>		

Anyone unassigned in any group should report to the EOC. This includes all staff, parents, volunteers, visitors, and staff from other sites on campus.

Paradise Canyon Elementary School

Disaster Response Teams

2015 - 2016

Emergency Operations Center: *Craddock, *Pierce (documentation), *Kanner, *Chase, *Jaimes

Emergency Bin: *Kanner, *Chase, student runners

First Aid: Next to handball court

Team Leaders: District Nurse, Dunlop

Support Staff: *Block (documentation), Thomas, Scanlan, Hada, Galante

Sweep and Rescue Teams: Meet at Emergency Bin

Red Team: Rivas, *McClure

Search & Rescue Team: *Hardash, *Hajek

Yellow Team: Arbucci, *Wawrychuk

Green Team: Russell, *Chase

Blue Team: Hong, *Kazak

Request Gate: At Oliveta entrance

Team Leader: Selsor

Support Staff: *Watts, Budde, Wullschlager, Bertonneau, student runners

Reunion Gate: At pedestrian gate, next to MPR

Team Leader: Newman

Support Staff: *Mora, Parra, Tinglof, Mosley

Security: Front of School/Parking Lot

Team Leader: Kanner

Support Staff: Lee, Markarian, Aldi, Noon Duty aides,

Gould gate: Aides

Reunion gate: Lee, Aldi

Student Supervision: All classes report to lower playground line up, then move to field area when directed

Team Leader: *Jaimes

Support Staff: Phillips, Fike, Hurley, Comp. Lab

K: Posod, McCullough, Gardner

1st grade: Carson, Eggert, Wong

2nd grade: Perdisatt

3rd grade: Bachmuth, Brown, Page

4th grade: Celestino

5th grade: Lesko

6th grade: Khanlarian

Damage control, utility check & site safety: *Javier, *Gilbert, *Raul (Lock Down/Gas Shut off)

All additional personnel report to Jaimes to assist with Student Assembly Area supervision.

35

36

37 CEC 38

27

28

Restroom

Cafeteria

EOC CENTER

Multipurpose

Pre-School
Gardner/Posod/McCullough

Z	McClure
Y	Kazak
X	Budde
W	Khanlarian
V	Hajek
U	Selsor
T	Lesko
S	Celestino
R	Hong
Q	Arbucci
P	Block
O	Page
N	Wawrychuk
M	Hardash
L	Brown
K	Bachmuth
J	Parra
I	Watts
H	Perdisatt
G	Newman
F	Russell
E	Carson
D	Eggert
C	Mora
B	Rivas
A	Wong

First Aid

Staff Parking Lot

Security

X

X

X

REUNION GATE

STUDENT CHECKOUT

DISASTER BIN

EMERGENCY VEHICLES ONLY

Parking and Traffic

In the event of a disaster or emergency:

Walk to school if possible –access to the school may be difficult due to road hazards, traffic jams and parking issues.

Do NOT park in front of Gate #1 or Gate #2 –these areas are for emergency vehicles only.

DO NOT BLOCK any driveways or exits/entrances

Parent Parking: Gould, Knight –in front and past school lot

Student Check-out Procedures

Proceed calmly to Gate # 1 – Student Check-out Area

1. Obtain student release card from staff
*you may complete the card on our website in advance
2. Complete one card per student
3. A designated runner will locate the student who will be brought to you at Gate # 2 –the Reunion Gate

Proceed to Gate # 2 – Reunion Gate

1. Hand completed card(s) to staff
2. Show valid IDENTIFICATION for the safety of your child
3. Student to be released to parents or persons on Emergency and Demographic Update Forms ONLY!

ALL GATES will be locked. Students must be formally checked out so parents will know their children are safe and accounted for.

37 CEC 38

35 36

EOC CENTER

Restroom

27 28

All Gates will be LOCKED

Student Supervision
All classes

Cafeteria

Multipurpose Room

First Aide

REUNION GATE #2

Staff Parking Lot Security X X

STUDENT CHECKOUT GATE #1

DISASTER BIN

EMERGENCY VEHICLES ONLY

STUDENT ACCOUNTING FORM

Complete this form and send with a student runner to the Emergency Operations Center.

Teacher's Name: _____ Room _____

Person completing this form (if other than the regular teacher): _____

All Persons Accounted for: Yes No

Missing or Unaccounted for:

1.	3.
2.	4.

Injured Students in line:

1.	3.
2.	4.

Absent:

1.	3.
2.	4.

Others not present (e.g. students who left early, sent elsewhere - WHERE?)

1.	3.
2.	4.

Additional students PRESENT and accounted for - NOT NORMALLY WITH YOU:

1.	3.
2.	4.

PERMIT FOR RELEASE OF CHILD

Directions: Parent/guardian/emergency contact to fill in both portions. Separate at dotted line. BOTH HALVES SHOULD BEAR SIGNATURE OF PERSON AUTHORIZING RELEASE. Bottom half to be taken by Request Gate and sent to the Student Assembly Area with a runner. Top portion to remain with parent and presented at the Reunion Gate.

Date: _____

Time: _____

I _____ request the release of
(please print your name)

the student _____ from
(please print name of student)

Paradise Canyon Elementary School.

Parent/Guardian/Emergency Contact Signature: _____

Relation to student: _____

Request Gate Signature: _____

(Parent/Guardian/Emergency Contact to take this portion to Reunion Gate)

✂ _____

COPY OF PERMIT FOR RELEASE OF CHILD

Date: _____

Time: _____

I _____ request the release of
(please print your name)

the student _____ from
(please print name of student)

Paradise Canyon Elementary School.

Parent/Guardian/Emergency Contact Signature: _____

Relation to student: _____

Reunion Gate Signature Authorizing Student Release: _____

(This portion to be sent with student runner to Student Assembly Area)

GENERAL RESPONSIBILITIES FOR ALL TEACHERS

FIRST AIDE, DISPATCH, SWEEP AND RESCUE, PARENTAL COMMUNICATION TEAMS: Hand over these responsibilities promptly after assembling on the field

***When you assemble on the field, the FIRST priority is to account for each student.**

Please follow the procedure exactly:

- **Instruct students to sit down, remain quiet and listen for directions.**
- **Put your red backpack at the front of your line (on the asphalt) with the pocket facing the school.**
- **DO NOT call out names to take roll. Use the name stickers.**
- **Put each child's name sticker on the right side of upper chest (do not remove stickers from sheet if student is not with you).**
- **Complete the yellow "Emergency Disaster Attendance Form". Write details on the form to help sweep and first aid teams.**
- **Attach the leftover sticker sheet to the yellow form with a paper clip.**
- **Place the yellow form and leftover sticker sheet in the front pocket of the backpack.**
- **If you are missing anyone, put RED sign in front pocket of backpack.**
- **If all students are with you, put plain GREEN sign in front pocket of backpack.**
- **If you have a child with a minor injury in line, put the green (+) card in front of backpack. (Broken arm, cuts, bruises, etc..)**
- **If you are on a response team other than field supervision, arrange with the teacher next to you on the field to supervise your students, then report to the Disaster Container.**
- **Non Urgent First Aide must be handled in line by the teacher who is supervising the students.**

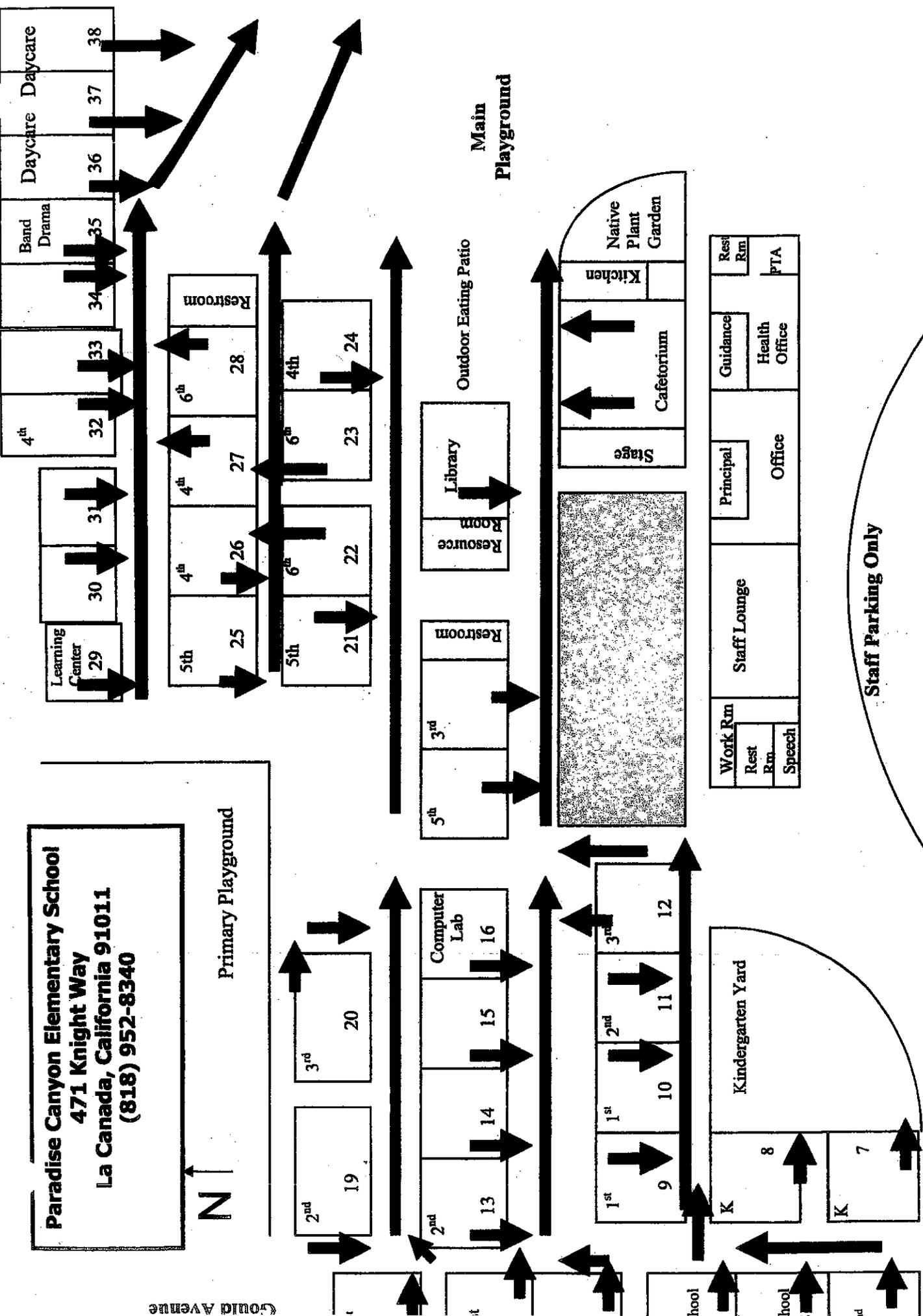
- **Do not send minor injuries to the First Aide Center. Report them on your attendance sheet and someone will come for them. (Note -- green sign with cross indicates injury in line).**

Paradise Canyon Elementary School
471 Knight Way
La Canada, California 91011
(818) 952-8340



Primary Playground

Main Playground



Staff Parking Only

Right Way

NOT TO SCALE
 9. 010

DISASTER RESPONSE TEAMS SWEEP AND RESCUE

1. **Duck and Cover, Evacuate, Assemble students on the field.**
2. ***Classroom teachers account for all students according to the procedure detailed below.**
3. **Hand over supervision of students to another adult.**
4. **Report to the Disaster Container to check in with Debbie and pick up classroom keys.**
5. **Get a Walkie-Talkie pack (walkie-talkie, batteries, arm-holster) from the EOC (1 per team)-- Follow the directions inside the plastic bag and check the walkie-talkie to see if it works. (improper installation of the batteries is the most common problem) Wear the hard hat and orange vest.**
6. **Remove your sweep bags from the container. Check contents for map and instructions.**
7. **Proceed to check each classroom, storage, restroom:**

VISUALLY, VOCALLY, PHYSICALLY

- **Before you enter the room, mark the outside of the SOUTH DOOR with a slash (/) (unless the south entrance is blocked).**
- **If you come across a student with an injury, radio to Command Center and report student's location and condition. Also radio any EMERGENCY situations (i.e., fire, gas leak, inaccessible room or building). Move any student when it is safe to do so or otherwise radio for help.**
- **If you leave someone inside the room, do not make another mark on the door as you exit, leave door open.**
- **If the room is clear of people, mark the outside with another slash to make and "X." Close the door and LOCK IT.**

Thus: **No mark on the door means the room has not been checked.**
 / **on the door means the room has been swept but someone needs help inside.**
 X **on the door means the room is clear.**

8. **Report back to First Aid after you have completed your sweep.**

Par. je Canyon Elementary School
 471 Knight Way
 La Canada, California 91011
 (818) 952-8340



Primary Playground

Team Blue

19	20
13	14
15	16

Computer Lab

9	10	11	12
Kindergarten Yard			
8			
7			

Team Yellow

21	22	23	24
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Sweep Teams

Restroom

17

18

Restroom

Resource Room

Library

Outdoor Eating Patio

Main Playground

Stage

Cafetorium

Kitchen

Native Plant Garden

Work Rm

Rest Rm

Speech

Staff Lounge

Principal

Office

Guidance

Health Office

Res Rm

PTA

Team Green

Staff Parking Only

Knight Way

MAP NOT TO SCALE
 8/3

29	30	31	32	33	34	35	36	37	38
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aycare

Team Red

Restroom

25

26

27

28

DISASTER RESPONSE TEAMS
PARENTAL COMMUNICATION - CHECK-OUT GATE # 1

1. Duck and Cover, Evacuate, Assemble students on the field.
2. *Account for all students in your classroom according to the "General Responsibilities for All Teachers"
3. Hand over supervision of students to another adult.
4. Report to the Disaster Container and check in with Section Chief (Kanner).
5. Get boxes labeled "GATE #1", tables and chairs, and place them near the large gate on lower field. (Olivetta Gate) Assign a member of your team to be in charge of radio communication.
6. Secure gate (using your PCY gate key).
7. Hang signs, set out release cards, pencils, and information sheets for parents
8. **Coordinator:** coordinates the sixth grade runners.
Others: work with notebooks and parents.

When an adult comes to the gate to check-out a child:

- Collect release cards from adults at gate.
- Confirm that the adult is authorized to retrieve the student by finding his/her emergency information in the notebook.
- If not parent check the "N" list. Only release child to emergency contact.
- Mark the child's page in the notebook by circling the name of the adult who picks up the child. If they are not listed but the child has "Y" marked in the book, write in the name.
- If an adult is picking up siblings, write the adult's name on the Alphabetical Sibling list, next to the students' names.
- Check ID to confirm the person's identity and initial that his ID has been verified.
- If the adult is authorized to retrieve the child, give them an orange sheet. (The orange sheet authorizes Gate #2 staff to release the student to the adult possessing the sheet.)
- Coordinator dispatches a runner to the correct classroom line, with the release card, to get the student and escort him/her to the reunion gate. The runners must tell a field supervisor before taking a child to Gate # 2.

**DISASTER RESPONSE TEAMS
PARENTAL COMMUNICATION
REUNION GATE #2**

- 1. Duck and Cover, Evacuate, Assemble students on the field.**
- 2. *Account for all students in your classroom according to the "General Responsibilities for All Teachers" instructions.**
- 3. Hand over supervision of students to another adult.**
- 4. Report to the Disaster Container and check in with Sue Kanner.**
- 5. Get box labeled "GATE # 2", tables and chairs, and set them up on the field next to the large gate. Assign a member of your team to be in charge of radio communication.**
- 7. When a parent comes through the gate to the table to check-out their child:**
 - Request the release card from the runner and the orange sheet from the adult. (Gate #1 staff issues the orange sheet when the adult has shown identification and the staff has verified that the adult is one who is authorized to retrieve the student.) NO CHILD MAY BE RELEASED WITHOUT A RELEASE CARD AND AN ORANGE SHEET.**
 - Take the released student's name label from his/her chest and stick it on the release card. Make sure you fill out the card completely with the proposed destination and time.**
 - Confirm that the adult meeting the child is one whose name appears on the release card. You may use your discretion in requesting identification from adults.**
 - Place cards in box.**
 - Ensure that all records of students leaving campus are accurate.**

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

Attached are the La Canada School District policies and procedures for suspension and expulsion. The criteria for suspensions and expulsions are also summarized for parents in our school's "Student Conduct Handbook" (p.10,11,12). This publication is also given to all school staff for reference.

Following in this component are:

- Board Policy BP 5144.1
- Administrative Regulation AR 5144.1
- Administrative Regulation AR 5144.2

AR 5144.1 Students

Suspension And Expulsion/Due Process

Definitions

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

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

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

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

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

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

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

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

Notice of Regulations

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

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(q))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object

(cf. 5131.7 - Weapons and Dangerous Instruments)

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

(cf. 5131.6 - Alcohol and Other Drugs)

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

5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property (Education Code 48900(f))

7. Stole or attempted to steal school property or private property (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products. (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))

10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (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 unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(m))

14. 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))

15. 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))

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

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

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

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

(cf. 5145.7 - Sexual Harassment)

19. 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)

20. 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)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

1. While on school grounds

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

The Superintendent or principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

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

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

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

When removing a student from his/her class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

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

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

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

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

Pursuant to Governing Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a

written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

Suspension by Superintendent, Principal or Principal's Designee

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

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence
2. Brandishing a knife, as defined in Education Code 48915(g), at another person
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above
5. Possession of an explosive as defined in 18USC 921

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

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

Suspensions shall be initiated according to the following procedures:

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

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within

two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior.

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

3. Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension. (Education Code 48911)

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

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

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

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

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

Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if the Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

Authority to Expel

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

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

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

Mandatory Recommendation for Expulsion

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

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

Mandatory Recommendation and Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm.
2. Brandishing a knife as defined in Education Code 48915(g) at another person
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above
5. Possessing an explosive as defined in 18 USC 921

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

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

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

If the Board finds it impractical 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))

Rights of Complaining Witness

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

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

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

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

Written Notice of the Expulsion Hearing

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

1. The date and place of the hearing

2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based

3. A copy of district disciplinary rules which relate to the alleged violation

4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a).

(cf. 5119 - Students Expelled from Other Districts)

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

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

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

7. The right to inspect and obtain copies of all documents to be used at the hearing

8. The opportunity to confront and question all witnesses who testify at the hearing

9. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses

Conduct of Expulsion Hearing

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

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

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

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

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

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

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

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

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

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

(cf. 5145.12 - Search and Seizure)

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

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

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

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

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

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

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

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a 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 Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may appoint an impartial administrative panel

composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing."

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the student shall be immediately reinstated. The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order below.")

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Final Action by the Board

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

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs after consulting with district personnel, including the teacher involved, and with the student's parent/guardian.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (Education Code 48916)

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

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

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

Written Notice to Expel

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c) (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision Not to Enforce Expulsion Order

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

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

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

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

Right to Appeal

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

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

Post-Expulsion Placements

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

1. Appropriately prepared to accommodate students who exhibit discipline problems
2. Not provided at a comprehensive middle, junior or senior high school or at any elementary school, unless the program is offered at elementary school.

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

Readmission procedures shall be as follows:

1. A written request for readmission shall be submitted by the parent/guardian to the Superintendent or designee. (Education Code 48916)
2. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
5. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)
6. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)
7. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

Maintenance of Records

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

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

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications 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 or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

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

Outcome Data

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

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

Administrative LA CANADA UNIFIED SCHOOL DISTRICT
approval: May 13, 2003 La Canada Flintridge, California

Suspension

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

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

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

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

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

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

Behavioral Assessment and Intervention Plan

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

(cf. Individual Education Program)

(cf. Behavioral Interventions for Special Education Students)

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

Expulsion

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

Pre-Expulsion Assessment and Meeting

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

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

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

(cf. 6159 - Individualized Education Program)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Due Process and Expulsion Hearings

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

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

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

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

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

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

Services During Expulsion

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

(cf. 6158 - Independent Study)

(cf. 6183 - Home and Hospital Instruction)

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

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

Readmission

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

Suspension of Expulsion

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

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

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

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900 (c) or (d),

relating to the possession, use, offering or sale of controlled substances, alcohol or intoxicants of any kind. (Education Code 48902)

Legal Reference:

EDUCATION CODE

35146 Closed sessions (re suspensions)

35291 Rules (of governing board)

48900-48925 Suspension and expulsion

56000 Special education; legislative findings and declarations

56320 Educational needs; requirements

56321 Development or revision of individualized education program

56329 Independent educational assessment

56340-56347 Individual education program teams

56505 State hearing

PENAL CODE

245 Assault with deadly weapon

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

626.9 Gun-Free School Zone Act

626.10 Dirks, daggers, knives, razors or stun guns

UNITED STATES CODE, TITLE 18

930 Weapons

1365 Serious bodily injury

UNITED STATES CODE, TITLE 20

1412 State eligibility

1415 Procedural safeguards

UNITED STATES CODE, TITLE 21

812(c) Controlled substances

UNITED STATES CODE, TITLE 29

706 Definitions

794 Rehabilitation Act of 1973, Section 504

CODE OF FEDERAL REGULATIONS, TITLE 34

104.35 Evaluation and placement

104.36 Procedural safeguards

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

COURT DECISIONS

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

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

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

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

Management Resources:

FEDERAL REGISTER

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

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

WEB SITES

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

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

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

Administrative LA CANADA UNIFIED SCHOOL DISTRICT

approval: May 13, 2003 La Canada Flintridge, California

Discipline

The Governing Board desires to prepare youth for responsible citizenship by fostering self-discipline and personal responsibility. The Board perceives that good planning, a good understanding of each child, and parent involvement can minimize the need for discipline. Teachers shall use positive conflict resolution techniques and avoid unnecessary confrontations. When misconduct occurs, staff shall make every effort to identify and correct the causes of the student's behavior.

Board policies and regulations shall delineate acceptable student conduct and provide the basis for sound disciplinary practices. Each school shall develop disciplinary rules in accordance with law to meet the school's individual needs.

Staff shall enforce disciplinary rules fairly and consistently, without regard to race, creed, color or sex.

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

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

(cf. 5131 - Conduct)

(cf. 5142 - Safety)

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

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

(cf. 6164.5 - Student Study Teams)

Legal Reference:

EDUCATION CODE

35146 Closed sessions

35291 Rules

35291.5 School-adopted discipline rules

35291.7 School-adopted discipline rules: additional employees

37223 Weekend classes

44807.5 Restriction from recess for disciplinary purposes

48900-48925 Suspension and expulsion

48980-48985 Notification of parents or guardians

49000-49001 Prohibition of corporal punishment

49330-49334 Injurious objects

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

Management Resources

CDE PROGRAM ADVISORIES

1023,88 Corporal Punishment, CIL: 88/9-5

1110.89 Physical Exercise as Corporal Punishment, CIL 89/9-3

Policy LA CANADA UNIFIED SCHOOL DISTRICT

adopted: January 16, 1996 La Canada Flintridge, California

Suspension And Expulsion/Due Process

The Governing Board has established policies and standards of behavior in order to promote learning and protect the safety and well-being of all students. When these policies and standards are violated, it may be necessary to suspend or expel a student from regular classroom instruction.

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in administrative regulation.

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

Zero Tolerance

The Board supports a zero tolerance approach to serious offenses. This approach makes the removal of potentially dangerous students from the classroom a top priority. It ensures fair and equal treatment of all students and requires that all offenses be punished to the fullest extent allowed by law. Staff shall immediately report to the Superintendent or designee any incidence of offenses specified in law, board policy and administrative regulation as cause for suspension or expulsion.

The Superintendent or designee shall notify staff, students and parent/guardians about the district's zero tolerance policy and the consequences which may result from student offenses. He/she shall also ensure strict enforcement of this policy.

Student Due Process

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

Required Parental Attendance

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

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

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

Parental attendance may be requested on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not

respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented for reasons such as serious illness/injury/disability, absence from town, or inability to get certain release time from work.

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment

1981 Enrollment of students

32261 Interagency School Safety Demonstration Act of 1985

33032.5 Hate violence reduction

35146 Closed sessions (re suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

39141.12 Program for expelled students

48660-48666 Community day schools

48900-48926 Suspension and expulsion

48950 Speech and other communication

49073-49079 Privacy of student records

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt

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

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

LABOR CODE

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

PENAL CODE

240 Assault defined

242 Battery defined

243.4 Sexual battery

245 Assault with deadly weapon

245.6 Hazing

261 Rape defined

266c Unlawful sexual intercourse

286 Sodomy defined

288 Lewd or lascivious acts with child under age 14

288a Oral copulation

289 Penetration of genital or anal openings

422.6 Interference with civil rights; damaging property

422.7 Aggravating factors for punishment

422.75 Protected classes

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

626.9 Gun-Free School Zone Act of 1995

626.10 Dirks, daggers, knives, razors or stun guns

868.5 Supporting person; attendance during testimony of witness

John A. v. San Bernardino School District (1982) 33 Cal. 3d 301, 308

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182

Garcia v. Los Angeles Board of Education (1991) 123 Cal.App.3d 807

Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421

CIVIL CODE

47 Privileged communication

UNITED STATES CODE, TITLE 20

7151 Gun free schools

Management Resources:

CDE PROGRAM ADVISORIES

0306.96 Expulsion Policies and Educational Placements, SPB 95/96-04

Policy LA CA-ADA UNIFIED SCHOOL DISTRICT

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

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

Following in this component is:

- Education Code EC 49079

Education Code

Education Code

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

EC 49079

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

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

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

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

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

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

Reference:

Education Code 48900
Education Code 48900.2
Education Code 48900.3
Education Code 48900.4
Education Code 48900.7

8. SEXUAL HARASSMENT POLICY EC 212.5

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

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

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

Following in this component are:

- Education Code EC 212.5
- Board Policy BP 4119.11
- Administrative Regulation AR 5145.7
- Board Policy BP 4119.11
- Administrative Regulation AR 4119.11

Education Code

Education Code

Educational Equity

EC 212.5

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

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

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

Sexual Harassment

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

(cf. 4030 - Nondiscrimination in Employment)

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

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

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

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

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

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

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

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

(cf. 4031 - Complaints Concerning Discrimination in Employment)

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

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

Any district employee who engages or participates in sexual harassment, or who aids, abets, incites, compels or coerces another to commit sexual harassment against a district employee, job applicant or student, is in violation of this policy and is subject to disciplinary action, up to and including dismissal. Any employee who engages in sexual harassment may also be held personally liable in a court of law for any damage to the victim.

(cf. 4117.4 - Dismissal)

(cf. 4118 - Suspension/Disciplinary Action)

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act

LABOR CODE

1101 Political activities of employees

1102.1 Discrimination: sexual orientation

CODE OF REGULATIONS, TITLE 2

7287.8 Retaliation

7288.0 Sexual harassment training and education

CODE OF REGULATIONS, TITLE 5

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

UNITED STATES CODE, TITLE 42

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

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

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

CODE OF FEDERAL REGULATIONS, TITLE 34

106.9 Dissemination of policy

COURT DECISIONS

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

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

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

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

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

Juarez v. Ameritech Mobile Systems, (N.D. Ill.) 746 F.Supp. 798

Dornhecker v. Malibu Grand Prix Corp., (5th Cir. 1987) 828 F.2d. 307

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

Management Resources:

OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS
GENERAL

Protecting Students from Harassment and Hate Crime, January, 1999

WEB SITES

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

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

U.S. Department of Education, Office of Civil Rights: <http://www.ed.gov/offices/OCR>

Policy LA CA-ADA UNIFIED SCHOOL DISTRICT

adopted: January 18, 2005 La Canada Flintridge, California

Sexual Harassment

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

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

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

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

Notifications

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

1. Be displayed in a prominent location in the main administrative building or other area of the school where notices of district rules, regulations, procedures and standards of conduct are posted

2. Be provided to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year, or whenever a new employee is hired

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

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

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

1. The illegality of sexual harassment

2. The definition of sexual harassment under applicable state and federal law

3. A description of sexual harassment, with examples

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

5. The legal remedies and complaint process available through the Fair Employment and Housing Department and Equal Employment Opportunity Commission

6. Directions on how to contact the Fair Employment and Housing Department and Equal Employment Opportunity Commission

7. The protection against retaliation provided by 2CCR 7287.8 for opposing harassment prohibited by law or for filing a complaint with, or otherwise participating in an investigation, proceeding or hearing conducted by DFEH and the EEOC. Administrative LA CANADA UNIFIED SCHOOL DISTRICT approved January 18, 2005 La Canada Flintridge, California

BP 5145.7 Students

Sexual Harassment

The Governing Board is committed to maintaining a learning environment that is free of harassment. The Board prohibits the unlawful sexual harassment of any student by any employee, student, or other person at school or at any school-related activity.

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same gender
2. A clear message that students do not have to endure sexual harassment
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. Information about the person(s) to whom a report of sexual harassment should be made

Students shall be assured that they need not endure any form of sexual behavior or communication, including harassment because of sexual orientation. They shall further be assured that they need not endure, for any reason, any harassment which impairs the educational environment or a student's emotional well-being at school.

(cf. 5131.5 - Vandalism, Theft and Graffiti)

(cf. 5137 - Positive School Climate)

(cf. 5141.41 - Child Abuse Prevention)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 6142.1 - Family Life/Sex Education)

Any student who engages in the sexual harassment of anyone at school or a school-related activity shall be subject to disciplinary action. For students in grades K-3, this disciplinary action shall depend on the maturity of the students and the circumstances involved. For students in grades 4 through 12, the disciplinary action may include suspension and/or expulsion.

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

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

(cf. 4118 - Suspension/Disciplinary Action)

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

(cf. 5141.4 - Child Abuse Reporting Procedures)

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

The principal or designee shall immediately investigate any report of the sexual harassment of a student. Upon verifying that sexual harassment occurred, he/she shall ensure that

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

(cf. 1312.3 - Uniform Complaint Procedures)

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

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

(cf. 5141.4 - Child Abuse Reporting Procedures)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

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

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

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

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

CIVIL CODE

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

1714.1 Liability of parents/guardians for willful misconduct of minor

CODE OF REGULATIONS, TITLE 5

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

UNITED STATES CODE, TITLE 20

1681-1688 Title IX, Discrimination

UNITED STATES CODE, TITLE 42

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

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

CODE OF FEDERAL REGULATIONS, TITLE 34

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

COURT DECISIONS

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

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

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

Nabozny v. Podlesny, (1996, 7th Cir.) 92 F.3d 446

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

Oona R.-S. etc. v. Santa Rosa City Schools et al, (1995) 890 F.Supp. 1452

Rosa H. v. San Elizario Ind. School District, (W.D. Tex. 1995) 887 F. Supp. 140, 143

Clyde K. v. Puyallup School District #3, (1994) 35 F.3d 1396

Patricia H. v. Berkeley Unified School District, (1993) 830 F.Supp. 1288

Franklin v. Gwinnet County Schools, (1992) 112 S. Ct. 1028

Kelson v. City of Springfield, Oregon, (1985, 9th Cir.) 767 F.2d 651

Management Resources:

OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS
GENERAL

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

OFFICE OF CIVIL RIGHTS' PUBLICATIONS

Revised Sexual Harassment Guidance, January 2001

Sexual Harassment Guidance, March 1997

WEB SITES

OCR: <http://www.ed.gov/offices/OCR>

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

AR 5145.7 Students

Sexual Harassment

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature when: (Education Code 212.5)

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

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

1. Unwelcome sexual flirtations or propositions
2. Sexual slurs, leering, 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, notes, stories, drawings, pictures or gestures

5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
7. Touching an individual's body or clothes in a sexual way
8. Purposefully cornering or blocking normal movements
9. Limiting a student's access to educational tools
10. Displaying sexually suggestive objects

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)

(cf. 5145.6 - Parental Notifications)

2. Be displayed in a prominent location near each school principal's office (Education Code 212.6)

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 212.6)

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 212.6)

5. Be provided to employees and employee organizations

Investigation of Complaints at School (Site-Level Grievance Procedure)

1. The principal or designee shall promptly investigate all complaints of sexual harassment. In so doing, he/she shall talk individually with:

- a. The student who is complaining
- b. The person accused of harassment
- c. Anyone who saw the harassment take place
- d. Anyone mentioned as having related information

2. The student who is complaining shall have an opportunity to describe the incident, present witnesses and other evidence of the harassment, and put his/her complaint in writing.

3. The principal or designee shall discuss the complaint only with the people described above. When necessary to carry out his/her investigation or for other good reasons that apply to the

particular situation, the principal or designee also may discuss the complaint with the following persons:

- a. The Superintendent or designee
- b. The parent/guardian of the student who complained
- c. The parent/guardian of the person accused of harassing someone
- d. A teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth
- e. Child protective agencies responsible for investigating child abuse reports
- f. Legal counsel for the district

(cf. 5141.41 - Child Abuse Prevention)

4. When the student who complained and the person accused of harassment so agree, the principal or designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher, administrator or trained mediator. The student who complained shall never be asked to work out the problem directly with the accused person unless such help is provided and both parties agree.

5. The principal or designee shall tell the student who complained that he/she has the right to file a formal complaint at any time in accordance with the district's uniform complaint procedures. If the student wishes to file a formal complaint, the principal or designee shall assist the student in doing this.

(cf. 1312.3 - Uniform Complaint Procedures)

6. In reaching a decision about the complaint, the principal or designee may take into account:

- a. Statements made by the persons identified above
- b. The details and consistency of each person's account
- c. Evidence of how the complaining student reacted to the incident
- d. Evidence of past instances of harassment by the accused person
- e. Evidence of past harassment complaints that were found to be untrue

7. To judge the severity of the harassment, the principal or designee may take into consideration:

- a. How the misconduct affected one or more students' education
- b. The type, frequency and duration of the misconduct
- c. The number of persons involved

- d. The age and sex of the person accused of harassment
 - e. The subject(s) of harassment
 - f. The place and situation where the incident occurred
 - g. Other incidents at the school, including incidents of harassment that were not related to gender
8. The principal or designee shall write a report of his/her findings, decision, and reasons for the decision and shall present this report to the student who complained and the person accused.
9. The principal or designee shall give the Superintendent or designee a written report of the complaint and investigation. If he/she verifies that sexual harassment occurred, this report shall describe the actions he/she took to end the harassment, address the effects of the harassment on the person harassed, and prevent retaliation or further harassment.
10. Within two weeks after receiving the complaint, the principal or designee shall determine whether or not the student who complained has been further harassed. The principal or designee shall keep a record of this information and shall continue this follow-up at his/her discretion.

Enforcement

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti
2. Providing staff inservice and student instruction or counseling
3. Notifying parents/guardians
4. Notifying child protective services
5. Taking appropriate disciplinary action. In addition, the principal or designee may take disciplinary measures against any person who is found to have made a complaint of sexual harassment which he/she knew was not true.

Administrative LA CANADA UNIFIED SCHOOL DISTRICT

approval: May 13, 2003 La Canada Flintridge, California

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

In consultation with the teachers and with the Student Council, the following dress standard was adopted: Students are expected to dress appropriately. Appropriateness, safety and cleanliness are the three factors that should be considered. Appropriateness means a student comes to school dressed for school activities. Sandals, long dresses, boots, platform shoes, halter tops, short-shorts, excessive jewelry, T-shirts with inappropriate messages, and excessively baggy pants are not allowed. Students are very active on the playground, and these items often contribute to unwarranted injuries or create negative attention.

If a student's dress is felt to be unsafe or inappropriate for an elementary campus, the parent may be contacted and requested to bring a change of clothing.

Following in this component are:

- Education Code EC 35183

Education Code

Education Code

School uniforms; gang apparel; dress codes

EC 35183

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Reference:

Education Code 32281

Education Code 48950

Dress And Grooming
BP 5132

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

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

(cf. 5144 - Discipline)

Legal Reference:

EDUCATION CODE

32281 School safety plans

35183 School dress codes; uniforms

35183.5 Sun-protective clothing

48907 Student exercise of free expression

49066 Grades; effect of physical education class apparel

CODE OF REGULATIONS, TITLE 5

302 Pupils to be neat and clean on entering school

COURT DECISIONS

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

827 F.Supp. 1459

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

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

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

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

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

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

Parents and students are apprised of safe egress and ingress procedures in the "Student Conduct Handbook" (see "School Rules and Parent Notification").

Following in this component is:

- PCY Traffic Procedures

SCHOOL SAFETY

Drop-Off/Pick-Up

Each school will provide parents specific information regarding drop-off/pick-up procedures prior to the first day of school. Parents and students must follow the established school guidelines regarding drop-off/pick-up to ensure the safety of all students. All school sites have established car lines to facilitate student drop-off/pick-up. When using the car lines, vehicles are to move in a single line and as far forward as possible. Students must wait for vehicles to come to a complete stop to safely enter or exit them from the passenger side only. Students cannot jaywalk across streets to enter vehicles. Vehicles may not double park. A campus supervisor and/or parent volunteer will be available to assist students during drop-off and pick-up times.

Walking To & From School

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

Bicycles, Skateboards, Scooters, Roller Blades/Roller Sneakers

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

Skateboards, scooters, roller blades, and roller sneakers are not to be ridden to or from school. Riding skateboards, scooters, and rollerblades/sneakers on school grounds is prohibited at all times.

Dogs/Animals

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

**Paradise Canyon Elementary School
Traffic Procedures**

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

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

Transportation by Car

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

Transportation by Walking or Biking

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

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

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

TRAFFIC PROCEDURES FOR GOULD AVE.

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

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

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

11. A SAFE AND ORDERLY ENVIRONMENT CONDUCTIVE TO LEARNING

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

Our school is virtually crime-free, the only exception being occasional mild graffiti, which is painted over immediately. We are a designated Tobacco Free school, and in partnership with the local Sheriff's Department, are provided with a Resource Officer who gives "Success Through Awareness and Resistance" (STAR) instruction in 4th, 5th, and 6th grades. This officer also helps us intervene with at-risk students and their families if law enforcement resources would be helpful. We take part in Red Ribbon Week each year, with every student signing the Drug Free Pledge and participating in writing/art activities that reinforce healthy life choices.

Paradise Canyon participates in Second Step/Steps to Respect, a curricular program, which teaches students strategies to prevent and solve problems. The curriculum is taught in the regular classrooms and is used in preventing problems as well as in solving problems. Our student code of conduct is called "The Super Six" (six principles by which to live in the school community) and students are counseled by staff members in how to make appropriate choices if one of the Super Six rules is broken. Parents are always included in this effort with communication from the teacher as soon as a problem surfaces. The Student Conduct Handbook is distributed to each student at the beginning of the school year with thorough discussion in classes. Parents and students sign confirmation that they have read and understand our behavior standards and agree to abide by them.

Our discipline plan is one of intervention and progressive consequences for inappropriate behavior and positive recognition for acceptable behavior. Our teachers identify valued characteristics (honesty, perseverance, etc.) which we promote each month during the Spirit Rally and classroom lessons and students are recognized with Cougar Cash and Cougar Coupons.

We are fortunate to have a beautiful campus with gardens (maintained by parent volunteers and classrooms), grassy areas and abundant trees, and our Peacemakers assist with the responsibility of keeping the school clean. The entire school went through a remodeling process that provided wheelchair access to all areas of the school in an aesthetically pleasing way. PCY is a safe, secure, and friendly place for students, parents, teachers, and the community.

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

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

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

There is also an Anti-Bullying Policy in the Parent Student Handbook. The policy in the handbook is attached.

Paradise Canyon Elementary School
ANTI-BULLYING POLICY

Paradise Canyon Elementary School believes that all students have a right to a safe and healthy school environment. The district, schools, and community have an obligation to promote mutual respect, tolerance, and acceptance.

Paradise Canyon Elementary School will not tolerate behavior that infringes on the safety of any student. A student shall not intimidate or harass another student through words or actions.

Bullying among children encompasses a variety of *negative acts* carried out *repeatedly over time*. It involves a *real or perceived imbalance of power*, with the more powerful child or group attacking those who are less powerful.

Bullying can take several forms: physical (hitting, kicking, spitting, pushing, taking personal belongings); verbal (taunting, malicious teasing, name calling, racial slurs, and making threats); psychological (spreading rumors, manipulating social relationships or engaging in social exclusion, extortion or intimidation), and cyberbullying (use of technology to harass, threaten or humiliate).

Paradise Canyon Elementary School expects students to immediately report incidents of bullying to school staff. Staff is expected to immediately take action when they see or hear of a bullying incident. Each complaint of bullying will be promptly investigated. This policy applies to students on school grounds, while traveling to and from school, during the lunch period, whether on or off campus and during a school-sponsored activity.

Teachers will discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of bullying. Students who bully are in violation of this policy and are subject to disciplinary action.

The steps for intervening in bullying behavior include, but are not limited, to the following:

- All staff, students and their parents will receive a summary of this policy prohibiting bullying: at the beginning of the school year as part of student orientation, included in the student handbook and/or information packet, and as part of the school system's annual notification to parents.
- Staff is expected to take immediate action when they see a bullying incident or when an incident is reported.
- The school will consistently follow established progressive discipline procedures in dealing with students who violate school rules and/or the school's Anti-Bullying Policy.
- People witnessing or experiencing bullying are encouraged to report the incident; such reporting will not reflect on the victim or witnesses in any way. In addition, students who retaliate against witnesses or those reporting bullying behaviors are subject to disciplinary action.
- The school will make reasonable efforts to keep a report of bullying and the results of investigation confidential.

GENERAL SCHOOL RULES

We believe school rules need to be clear, and wherever possible, vagueness needs to be removed. The following is a detailed list of rules that apply to different times of the day and different areas of the campus, including specific game rules played during the recess periods.

Every rule reflects the overriding principles reflected in the Super Six Rules cited earlier. Peacemakers and Junior Peacemakers are student conflict managers who are trained by the school counselor to help solve problems on the playground. All students are taught to use the tools of SAFE Schools and the problem solving methods of Peaceful Playgrounds to prevent serious problems from happening.

Rules for General School Conduct

1. Students must walk in the hallways and on sidewalks
2. Games of tag or chase are not allowed anywhere on the campus or school sidewalk areas.
3. Students are not allowed to be in the parking lot without an adult.
4. Planted areas may not be used for shortcuts.
5. Students must refrain from making excessive loud noises that may disrupt other classrooms while walking to and from different areas on the campus.
6. Restrooms and drinking fountains must be kept clean and orderly. Paper towels go into trash containers. The toilets should be kept free of any item other than toilet paper.
7. All trash goes into trash containers. Students are responsible for their trash.
8. Gum is not permitted.
9. Personal student items of play (game equipment, trading cards, toys, etc.) may not be brought to school, unless specific permission is given by the teacher and principal. This includes iPods and other electronic games.
10. Climbing trees or other school facilities is not allowed.
11. Non-recreational items are not to be thrown (i.e. rocks, sticks, pine cones, paper wads, etc.).
12. Fighting, real or "play fighting" (kick boxing, karate, wrestling, etc.) is treated as a serious, and possible, suspendable behavior. No person is to be physically harmed by another.
13. Students may not use profanity. Students may not tease, malign or threaten.
14. Students are expected to follow general rules of safety and appropriate conduct when on field trips. If there are concerns about a student's behavior that may interfere with their safety, the teacher will notify the principal and counsel with the parent prior to a scheduled field trip.
15. Students may not bring or use laser pointers.
16. Students are not permitted to bring or wear shoe skate wheels.
17. Students may not engage in hurtful or degrading teasing or harassment of any kind.

Rules for Before School

1. Students must not be on campus before 7:45 a.m. ("Late Bird" students should not arrive prior to 9:00 a.m.) Students beginning school at 8:15 will be supervised in front of the office from 7:45 – 8:00 a.m. Students need to report directly to the field and not their classrooms. They may not be in the halls until after 8:12. Students who begin school at 9:15 a.m. may not be in the halls or on the playground until 9:00 a.m. They will be supervised from 8:55 – 9:12 a.m. on the lower playground. Late Birds are not to be by the classrooms until 9:15 a.m. when they may enter. Parents are responsible for providing care prior to the arrival times and may make arrangements with a childcare provider.
2. Students in grades 4, 5, and 6 may ride their bicycles to school. All riders must wear a helmet and have a bicycle permit on file in the office. Bicycles must be walked on campus and locked securely in the bike rack.
3. Skateboards, rollerblades, and scooters are not allowed on campus at any time.
4. Student lunches, snacks, books, etc. must stay on the playground until students are met by their teacher and are taken to class.
5. Students who arrive after the start times must report to the office before going to class.
6. Students are responsible to arrive prepared for class work, bringing the necessary materials and completed homework

Rules for After School

1. Students leave through the Gould gate, the Knight Way car line or the east Oliveta gate.
2. Vehicles are to move in a singular line in designated areas. Students should wait for vehicles to come to a complete stop and safely enter vehicles on the passenger side only. Vehicles should not be doubled parked, and should wait until they have reached the first position in line before safely pulling away.
3. Students should not jaywalk across streets or the driveway to enter vehicles.
4. Students should not ever be in the parking lot area.
5. Games of tag or chase are not allowed. Wait quietly to be picked up.
6. Students who walk east on Knight Way are to leave via the east gate.
7. The school has authority over the students' behavior while the students are on the way to school or are on the way home. If poor behavior occurs during this time, students are subject to school consequences.

WHEN STUDENTS STRUGGLE WITH THE RULES

Our role at school is to model, help shape, and work supportively with students to develop responsible behaviors. We view inappropriate student behaviors as opportunities to positively intervene, to provide coaching, and to prompt problem-solving skills among our students. Children grow when they have knowledge and feedback about their actions; understand the reasons for rules, and opportunities to practice appropriate behavior. PCY has a full time counselor who is involved in teaching children how to prevent and solve problems. Students who are having social or behavioral challenges may see the counselor as one type of intervention.

We also acknowledge that behavior determines consequences. The type of consequence is based on the severity of the incident and the maturity of the individuals involved. Below is a list of possible steps the staff uses to support and intervene with students who periodically may struggle with rules. Please remember, struggling with rules is a part of growing up. We learn from the struggling.

1. Staff members may meet with the student(s), to discuss the problem that has occurred. The staff member will emphasize the use of the SAFE SCHOOLS tools and strategies to solve or prevent a problem.
2. Each teacher utilizes a classroom discipline system which includes positive reinforcements for appropriate behavior. Reinforcements include recognition programs, group or individual points, class rewards, and of course, specific praise. Classroom consequences may include time-outs, detention or a note home.
3. When a child has ongoing behavior issues, the teacher will involve the parents in discussing the situation and in planning ways to help the child succeed. Some situations may be referred to the PCY Student Study Team, which will involve the Principal, School Psychologist, and other teachers, as well as the parents and the classroom teacher.
4. The PCY Green Slip is used to notify parents that a student has violated a school rule.
5. The Principal or her designee can suspend a student for behavior that jeopardizes the safety or welfare of other students and/or disrupts school activities. Some serious behaviors require the Principal to recommend for expulsion.

Education Code

Education Code

Discipline rules

EC 35291

The governing board of any school district shall prescribe rules not inconsistent with law or with the rules prescribed by the State Board of Education, for the government and discipline of the schools under its jurisdiction. The governing board of each school district which maintains any of grades 1 through 12, inclusive, may, at the time and in the manner prescribed by Sections 48980 and 48981, notify the parent or guardian of all pupils registered in schools of the district of the availability of rules of the district pertaining to student discipline.

(Amended by Stats. 2002, Ch. 1032, Sec. 2.)

References:

Education Code 48980

Education Code 489

Education Code

Education Code

Discipline rules

EC 35291.5

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

(1) Parents.

(2) Teachers.

(3) School administrators.

(4) School security personnel, if any.

(5) For junior high schools and high schools, pupils enrolled in the school.

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

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

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

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

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

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

(Amended by Stats. 2002, Ch. 1032, Sec. 3.)
BP 5131 Students

Conduct

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

Student Responsibilities

The Board believes that it is important for students to understand that they have a choice to make regarding their actions and that appropriate conduct benefits both themselves and others. Students are encouraged to freely express their individuality as long as this expression does not infringe upon the rights of others or interfere with the instructional program. Behavior is considered appropriate when students are diligent in study, neat and clean, careful with school property, respectful towards their teachers, and courteous to other students, staff and volunteers. Students are expected to be punctual and regular in attendance and to remain on school premises in accordance with school rules. They are further expected to refrain from profane, vulgar or abusive language.

(cf. 5137 - Positive School Climate)

(cf. 5145.2 - Freedom of Speech/Expression: Publications Code)

(cf. 5145.7 - Sexual Harassment)

Students shall receive regular instruction in district and school rules and regulations related to conduct. Students who violate these rules and regulations may be subject to discipline, suspension, exclusion, expulsion or transfer to alternative programs.

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5144 - Discipline)

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

(cf. 6184 - Continuation Education)

Parent/Guardian Responsibilities

Parents/guardians are expected to comply with laws governing the conduct and education of their children and to cooperate with school authorities regarding their children's behavior.

California law holds parents/guardians liable for any willful student misconduct which results in the death or injury of any student or persons employed by or volunteering for the district. Parents/guardians are also liable for any defacement, injury or loss of property belonging to the district or to a school employee. (Education Code 48904)

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

District Responsibilities

The school principal shall establish and enforce school rules that conform with district procedures and that foster safety and good citizenship. He/she shall ensure that students are informed of these rules when they enroll and at the beginning of each school year.

Teachers shall establish and enforce classroom rules that facilitate safety and effective learning. They shall cooperate with other certificated staff in enforcing general school rules and helping students to understand the benefits of choosing behaviors that show respect for other people and property.

Adoption of School Rules and Procedures Related to Student Discipline

At least every four years each school shall adopt rules and procedures on student discipline applicable to the school and consistent with State statutes and District policies. In developing these rules and procedures, each school shall solicit the participation, views, and advice of one or more representatives selected by each of the following groups:

1. Parents
2. Teachers
3. School Administrators
4. School security personnel, or any
5. Students at grades 7-12

Meetings for the development of the rules and procedures should be held at the school site during nonclassroom hours, and on normal schooldays.

The final version of the rules and procedures on school discipline with attendant regulations shall be adopted by a panel comprised of the Principal or his/her designee, and a representative selected by classroom teachers employed at the school. Each year each Principal shall file a copy of the rules and procedures with the Superintendent.

(cf. 5131.1 - Bus Conduct)

(cf. 5142 - Safety)

Legal Reference:

EDUCATION CODE

35181 Governing board policy on responsibilities of students

35291 Rules

35291.5 Rules and procedures on school discipline

44807 Duty concerning conduct of students

48900-48925 Suspension or expulsion

48908 Duties of pupils

48980-48981 Notification of parent or guardian

CIVIL CODE

1714.1 Liability of parents and guardians for willful misconduct of minor

PENAL CODE

245.6 Hazing

CODE OF REGULATIONS, TITLE 5

300-307 Duties of pupils

UNITED STATES CODE, TITLE 42

2000h-2 et seq. Title IX, 1972 Education Act Amendments

Policy LA CANADA UNIFIED SCHOOL DISTRICT

adopted: January 16, 1996 La Canada Flintridge, California

**Paradise Canyon Elementary School
Parent and Student Handbook Signature Form**

Name of Student: _____

Grade: _____ **Room #:** _____

I have read the LCUSD Elementary Parent & Student Reference Guide. I have reviewed school rules, behavior standards and Anti-Bullying Policy with my child.

Parent Signature

I agree to follow the school rules, the behavior standards, and Anti-Bullying Policy.

Student Signature

13. HATE CRIME REPORTING PROCEDURES PURSUANT TO CHAPTER 1.2 OF TITLE 15 OF THE PENAL CODE

In response to an incidence of a hate crime, school personnel shall conduct an investigation and an interview. Personnel shall then contact the Sheriff's Department and complete the district mandated forms to notify the Superintendent's office according to BP 5145.9

In accordance with Board Policy, there are no hate-related crimes to report for the 2009-2010 school year.

Following in this component is:

- Board Policy BP 5145.9

Hate-Motivated Behavior

The Governing Board affirms the right of every student to be protected from hate-motivated behavior. It is the intent of the Board to promote harmonious relationships that enable students to gain a true understanding of the civil rights and social responsibilities of people in our society. Behavior or statements that degrade an individual on the basis of his/her race, ethnicity, culture, heritage, gender, sexual orientation, physical/mental attributes, religious beliefs or practices shall not be tolerated.

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515.1 - Crime Data Reporting)

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

(cf. 5131.5 - Vandalism, Theft and Graffiti)

(cf. 5136 - Gangs)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 6141.6 - Multicultural Education)

Any student who feels that he/she is a victim of hate-motivated behavior shall immediately contact the principal or designee. If the student believes that the situation has not been remedied by the principal or designee, he/she may file a complaint in accordance with district complaint procedures.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the principal, Superintendent or designee, and law enforcement, as appropriate. Students demonstrating hate-motivated behavior shall be subject to discipline in accordance with Board policy and administrative regulation.

(cf. 3515.3 - District Police/Security Department)

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

(cf. 5144 - Discipline)

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

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

In addition, the district shall provide counseling and appropriate sensitivity training and diversity education for students exhibiting hate-motivated behavior. The district shall also provide counseling, guidance and support, as necessary, to those students who are the victims of hate-motivated behavior.

(cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall ensure that staff receive appropriate training to recognize hate-motivated behavior and methods for handling such behavior in appropriate ways.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The district shall provide age-appropriate instruction to help promote understanding of and respect for human rights.

Legal Reference:

EDUCATION CODE

200-262 Prohibition of discrimination on the basis of sex

48900.3 Suspension for hate violence

PENAL CODE

186.21 Street terrorism; legislative findings and declarations

422.6-422.95 Civil Rights

628-628.1 School crime reporting

11410-11414 Terrorism

13023 Reports by law enforcement of crimes motivated by race, ethnicity, religion, sexual orientation or physical or mental disability

13519.6 Hate crimes, training courses and guidelines

UNITED STATES CODE, TITLE 18

245 Federally protected activities

Management Resources:

CSBA PUBLICATIONS

Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1995

ALAMEDA OFFICE OF EDUCATION & CALIFORNIA DEPARTMENT OF
EDUCATION PUBLICATIONS

Hate-Motivated Behavior in Schools: Response Strategies for School Boards, Administrators,
Law Enforcement and Communities, 1997

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS & NATIONAL
ASSOCIATION OF ATTORNEYS GENERAL PUBLICATIONS

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

WEB SITES

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

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

United States Department of Education, Office of Civil Rights: <http://www.ed.gov/>

[offices/OCR/index.html](http://www.ed.gov/offices/OCR/index.html)

Policy LA CANADA UNIFIED SCHOOL DISTRICT

adopted: May 13, 2003 La Canada Flintridge, California

Hate Crime Reporting

There have been no incidents of hate-related crimes to report as of January 26, 2016.