

**La Cañada Elementary  
School**

**SB 187  
Comprehensive School Safety  
Plan**

**2019-2020**

## School Safety Plans

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

### I. Purpose

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

### II. Timeline

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

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

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

# **Education Code**

## **Education Code**

### **Article 5. School Safety Plans**

EC 32280

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

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

# Education Code

## Education Code

### School Safety Plans

EC 32281

- (a) Each school district and county office of education is responsible for the overall development of all comprehensive school safety plans for its schools operating kindergarten or any of grades 1 to 12, inclusive.
- (b) (1) Except as provided in subdivision (d) with regard to a small school district, the 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

# Component 1

## Summary of Changes



# SUMMARY OF CHANGES

(Component 1)

## Updates and Revisions:

- *Component 1* - Summary of Changes
- *Component 2* - Assurances (signature page)
- *Component 3* - LCUSD Vandalism Report 2017-2018
- *Component 5* - Site Disaster Plan 2018-2019 based on changes in personnel
- *Component 6* - K-6 Suspension Data
- *Component 13* - Hate Crime Report 2017-2018

## Additions:

- *Component 5* -- LCUSD Family Communication Flowchart
- *Component 5* -- LCUSD Staff Communication Flowchart
- *Component 12* - LCE Discipline Matrix

**Deletions:** N/A

# Component 2

## Assurances

# ASSURANCES


## (Component 2)

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

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

In addition, La Canada Elementary School has met the following requirements of SB 187

- The plan was written and developed by the Local Control and Accountability Plan Council pursuant to EC 52012 or 52852
- The Local Control and Accountability Plan 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 Local Control and Accountability Plan Council on January 22, 2019.
- Public input was solicited through vehicle of the Local Control and Accountability Plan Council.

  
LCAP Council Chair Person

01/22/19  
Date

  
School Administrator

01-22-19  
Date

  
PTA President

1/22/19  
Date

  
CSEA Representative

2/4/19  
Date

  
LCTA Representative

1-22-19  
Date

  
Deputy/City Official

01/30/19  
Date

  
Student Council

2/6/19  
Date

# Component 3

## Assessment of Current Status of School or School-Related Crimes

**ASSESSMENT OF CURRENT STATUS  
OF SCHOOL OR SCHOOL-RELATED CRIMES**  
(Component 3)

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:

- LCUSD Vandalism Report 2017-2018

School Name	LCE	School Year	2017-18	
Incident Date	Description of Incident	Sheriff Contacted?	Cost	Person/s Responsible
12/4/2017	Sometime over the weekend, doors of room 23 were written on with pencil, including a drawing of a person pooping and references to someone named Monica	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> File Number:		Unknown
Incident Date	Description of Incident	Sheriff Contacted?	Cost	Person/s Responsible
12/8/17	Evening custodian reported tagging scratched into the window of room 1	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> File Number:		Unknown
Incident Date	Description of Incident	Sheriff Contacted?	Cost	Person/s Responsible
12/11/17	Evening custodians reported that neighbors called the sheriff when they saw some young adults who had pried open the PTA sign on the outside of the school and were trying to rearrange the letters. Sheriff came and apprehended the vandals and made them apologize to the custodians.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> File Number:		Unknown
Incident Date	Description of Incident	Sheriff Contacted?	Cost	Person/s Responsible
		Yes <input type="checkbox"/> No <input type="checkbox"/> File Number:		
Incident Date	Description of Incident	Sheriff Contacted?	Cost	Person/s Responsible
		Yes <input type="checkbox"/> No <input type="checkbox"/> File Number:		
Incident Date	Description of Incident	Sheriff Contacted?	Cost	Person/s Responsible
		Yes <input type="checkbox"/> No <input type="checkbox"/> File Number:		



Component 4

Child Abuse

Reporting Procedures

# **CHILD ABUSE REPORTING PROCEDURES**

## **(Component 4)**

In the beginning of the school year, all classroom teachers and school staff are given an online training by the California Department of Social Services through the following link <https://lcusd-keenana.safeschools.com/login>. During this training, the responsibilities of a mandated reporter are reviewed. At the end of the training, a test is given to each employee.

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 "Suspected Child Abuse Report" 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
- "Suspected Child Abuse Report"
- Child Abuse Educator's Responsibilities Manual

### **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

## **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 complaint 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 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



Print

**SUSPECTED CHILD ABUSE REPORT**

Reset Form

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

CASE NAME: \_\_\_\_\_

PLEASE PRINT OR TYPE

CASE NUMBER: \_\_\_\_\_

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

SS 8572 (Rev. 12/02)

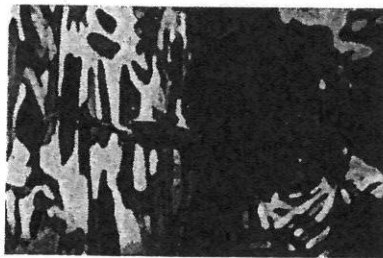
**DEFINITIONS AND INSTRUCTIONS ON REVERSE**

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

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

# CHILD **ABUSE**

## Educator's Responsibilities



Crime and Violence Prevention Center  
California Attorney General's Office

Edmund G. Brown Jr.  
Attorney General

Sixth Edition

revised January 2007

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Please note that the California Child Abuse and Neglect Reporting Act may have been amended since the printing of this material. For the most current reporting law information, please go to [www.leginfo.ca.gov](http://www.leginfo.ca.gov). This material has been prepared to assist educators in determining their reporting responsibilities. It is not intended to be and should not be considered legal advice. In the event there are questions about reporting responsibilities in a specific case, the advice of legal counsel should be sought.

# Introduction

Tragically, it is estimated that three children die each day in this nation as a result of child abuse and neglect. Every day, thousands of children are abused, often by a member of their own family, an unmarried parent's partner, or a caregiver.

The California Department of Social Services estimated that 378,301 referrals for investigation of child abuse and neglect involving 713,391 children occurred in 2004.

Each incident of child abuse is a national tragedy. No civilized society can overlook the maltreatment of children. Identification of abuse is the first step to strengthening our efforts in prevention and early intervention with children, youth and troubled families. Citizens and professionals who deal with children play a critical role in protecting innocent victims who suffer from abuse.

Under California state law, specific professional groups, including educators, are mandated to report known or suspected child abuse. Knowledge or reasonable suspicion of child abuse is not privileged information and must be reported. This information may be the only way a child receives help.

As an educator, you are in a unique position to help abused and neglected children escape pain, suffering, and even death. This handbook is designed to assist you in identifying the symptoms of child abuse and understanding your reporting responsibilities. It also answers some frequently asked questions. Together, we can stop the abuse and give our children a chance at a safe, happy, and productive life.

Crime and Violence Prevention Center  
California Attorney General's Office

# What Is Child Abuse?

Mandated reporters (see page 14) are required by law to report known or suspected child abuse.

The law defines child abuse as:

- Physical abuse
- Physical neglect
- Sexual abuse
- Emotional maltreatment

Indicators of child abuse are listed in this section to help educators and other school personnel meet their responsibilities under the Child Abuse and Neglect Reporting Act. (Pen. Code, §11164 et. seq.) Of course, one of the most important reasons for suspecting child abuse is that a child has told you that someone has hurt him or her.

## Physical Abuse

The term "child abuse" includes "physical injury inflicted by other than accidental means upon a child by another person." (Pen. Code, §11165.6.) Physical abuse most often involves severe corporal punishment in which a frustrated or angry parent or other caregiver strikes, shakes, or throws a child. Intentional assault such as burning, biting, cutting, poking, twisting limbs, or otherwise torturing a child is also included in this category of child abuse. Indicators of physical abuse can be physical or behavioral.

### Physical indicators

The type and location of an injury can help distinguish accidental injuries from injuries inflicted by physical abuse. Typical locations of injuries resulting from abuse are the back surface of a child's body from the neck to the knees, injuries to the face, and injuries to multiple parts of the body. Injuries to the shins, elbows, knees, and forehead are not typically sustained from abuse.

Types of injuries indicative of physical abuse include:

- Bruises
- Burns
- Bite marks
- Abrasions
- Lacerations
- Head injuries
- Internal Injuries
- Fractures

### **Behavioral indicators**

The following behaviors are often exhibited by abused children:

- The child is frightened of parent or caretaker or, at the other extreme, is overprotective of parent or caretaker.
- The child is excessively passive, overly compliant, apathetic, withdrawn, or fearful or, at the other extreme, is excessively aggressive, destructive, or physically violent.
- The child and/or parent or caretaker attempts to hide injuries to the child (e.g., the child wears excessive layers of clothing, especially in hot weather; the child is frequently absent from school or misses physical education classes if changing into gym clothes is required).
- The child is frightened of going home.
- The child is clingy and forms indiscriminate attachments.
- The child is apprehensive when other children cry.
- The child is wary of physical contact with adults.
- The child exhibits drastic behavioral changes in and out of presence of parent or caretaker.
- The child is hypervigilant; the child has difficulty sitting or walking.
- The child suffers from seizures or vomiting.
- The child, as an adolescent, exhibits depression, self-mutilation, suicide attempts, substance abuse, or sleeping and eating disorders.

### **Additional indicators**

Other indicators of physical abuse may include:

- A statement by the child that the injury was caused by abuse. (Please note: abused children may deny abuse.)

- Knowledge that the child's injury is unusual for the child's specific age group (e.g., any fracture in an infant).
- Knowledge of the child's history of previous or recurrent injuries.
- Unexplained injuries (e.g., parent is unable to explain reason for injury; there are discrepancies in explanation; blame is placed on a third party; explanations are inconsistent with medical diagnosis).
- Parent or caretaker delays seeking or fails to seek medical care for the child's injury.

### **Physical Neglect**

Neglect is the negligent treatment or maltreatment of a child by a parent or caretaker under circumstances indicating harm or threatened harm to the child's health or welfare. (Pen. Code, §11165.2.) It includes both acts and omissions on the part of the parent or caretaker. California law defines two categories of neglect: severe neglect and general neglect.

Severe neglect means the negligent failure of a parent or caretaker to protect the child from severe malnutrition or a medically diagnosed non-organic failure to thrive. It also includes situations where the parent or caretaker willfully causes or permits the body or health of the child to be endangered. This includes the intentional failure to provide adequate food, clothing, shelter, or medical care. (Pen. Code, §11165.2, subd. (a).)

General neglect means the negligent failure of a parent or caretaker to provide adequate food, clothing, shelter, medical care or supervision where no physical injury to the child has occurred. (Pen. Code, §11165.2, subd. (b).)

### **Indicators of physical neglect**

Neglect may be suspected when one or more of the following conditions exist:

- The child is lacking adequate medical or dental care.
- The child is often sleepy or hungry.



- The child is often dirty, demonstrates poor personal hygiene, or is inadequately dressed for weather conditions.
- There is evidence of poor or inadequate supervision for the child's age.
- The conditions in the home are unsafe or unsanitary.
- The child appears to be malnourished.
- The child is depressed, withdrawn, or apathetic, exhibits antisocial or destructive behavior, shows fearfulness, or suffers from substance abuse, speech, eating, or habit disorders (such as biting, rocking, or whining).

While some of these conditions may exist in any home, it is the extreme or persistent presence of these conditions that indicate a degree of neglect. Disarray and an untidy home do not necessarily mean the home is unfit. But extreme conditions resulting in an "unfit home" constitute severe neglect and may justify protective custody and juvenile dependency proceedings.

## **Sexual Abuse**

Sexual abuse is defined as acts of sexual assault or sexual exploitation of a minor. (Pen. Code, §11165.1.) Sexual abuse encompasses a broad spectrum of behavior and may consist of many acts over a long period of time (chronic molestation) or a single incident. Victims range in age from less than one year through adolescence.

Sexual assault includes: rape; gang rape (or rape in concert); statutory rape, when the offender is 21 or older and the victim is under 16; incest; sodomy; lewd or lascivious acts with a child under 14 years of age, or with a 14 or 15-year old when the offender is at least 10 years older; oral copulation; sexual penetration; and child molestation. (Pen. Code, §11165.1, subd. (a).)

Sexual exploitation includes conduct or activities related to child pornography and child prostitution. (Pen. Code, §11165.1, subd. (c).)

The nature of sexual abuse, the guilt and shame of the child victim, and the possible involvement of parents, stepparents,

friends, or others in a child caretaker role, make it extremely difficult for children to report sexual abuse.

Sometimes a child who does seek help is accused of making up stories. Many people do not believe the child because the abuser seems well-adjusted and they cannot believe this person could be capable of sexual abuse. Also, when the matter does come to the attention of authorities, the child may give in to pressure from parents or caretakers and deny that any sexual abuse has occurred. The child may feel guilty about "turning in" the abuser or breaking up the family and therefore recant or change his or her story. This pattern of denial is typical and may unfortunately cause people to be skeptical of a child's complaint of sexual abuse.

The sad reality of sexual abuse is that without third-party reporting, the child often remains trapped in secrecy by shame, fear, and threats by the abuser.

### **Indicators of sexual abuse**

Indicators of sexual abuse may surface through a child's history, physical symptoms, and behavior. Some of these indicators, taken separately, may not be symptomatic of sexual abuse. They are listed below as a guide and should be examined in the context of other factors.

### **History**

- The single most important indicator of sexual abuse is disclosure by a child to a friend, classmate, teacher, friend's mother, or other trusted adult. The disclosure may be direct or indirect (e.g., "I know someone..." or "What would you do if...?" or "I heard something about somebody..."). It is not uncommon for the disclosure by a child experiencing chronic or acute sexual abuse to be delayed. Children rarely fabricate these accounts; they should be taken seriously.
- A child wears torn, stained, or bloody underclothing.
- A child has an injury or disease (such as vaginal trauma or sexually transmitted disease) which is unusual for his or her specific age group.

- A child has a history of previous or recurrent injuries or diseases.
- A child has unexplained injuries or a disease (i.e., parent or caretaker is unable to explain reason for injury or disease); there are discrepancies in explanation; blame is placed on a third party; explanations are inconsistent with medical diagnosis.
- A young girl is pregnant. (Note that pregnancy of a minor does not, in and of itself, constitute a basis for a reasonable suspicion of sexual abuse. (Pen. Code, §11166, subd. (a)(1).)

#### **Physical symptoms**

- Sexually transmitted diseases.
- Genital discharge or infection.
- Physical trauma or irritation to the anal or genital area (e.g., pain, itching, swelling, bruising, bleeding, lacerations, or abrasions), especially if the injuries are unexplained or there is an inconsistent explanation.
- Pain during urination or defecation.
- Difficulty in walking or sitting due to genital or anal pain.
- Psychosomatic symptoms (e.g., stomachaches or headaches).

#### **Sexual behaviors of children**

- Detailed and age-inappropriate understanding of sexual behavior (especially by younger children).
- Inappropriate, unusual, or aggressive sexual behavior with peers or toys.
- Compulsive indiscreet masturbation.
- Excessive curiosity about sexual matters and/or genitalia.
- Unusual seductiveness with classmates, teachers, and others.
- Excessive concern about homosexuality, especially by boys.

#### **Behavioral indicators in younger children**

- Enuresis (wetting pants or wetting bed).
- Fecal soiling.
- Eating disturbances (such as overeating or undereating).
- Fears or phobias.
- Overly compulsive behavior.

- School problems or significant change in school performance (attitude and grades).
- Age-inappropriate behavior that includes pseudomaturity or regressive behavior (i.e., bed wetting or thumb sucking).
- Inability to concentrate.
- Sleeping disturbances (such as nightmares, fear of falling asleep, fretful sleep pattern or sleeping long hours).
- Drastic behavior changes.
- Speech disorders.
- Frightened of parents or caretaker or of going home.

#### **Behavioral indicators in older children and adolescents**

- Withdrawal.
- Chronic fatigue.
- Clinical depression and/or apathy.
- Overly compliant behavior.
- Poor hygiene or excessive bathing.
- Poor peer relations and social skills; inability to make friends; running away from home.
- Aggressive, antisocial, or delinquent behavior.
- Alcohol or drug abuse.
- Prostitution or excessive promiscuity.
- School problems (such as frequent absences or a sudden drop in school performance).
- Refusal to dress for physical education.
- Non-participation in sports and social activities.
- Fear of showers and/or restrooms.
- Fear of home life (as demonstrated by arriving at school early and/or leaving late).
- Sudden fear of other things (such as going outside or participating in familiar activities).
- Extraordinary fear of males.
- Self-consciousness of body beyond that expected for age.
- Sudden acquisition of money, new clothes, or gifts with no reasonable explanation.
- Suicide attempt or other self-destructive behavior.
- Crying without provocation.
- Setting fires.

**Incestuous/intrafamilial sexual abuse**

Sexual abuse of children within the family is the most hidden form of child abuse. In spite of its taboo and the difficulty of detection, some researchers believe it may be even more common than physical abuse.

In discussing sexual abuse, incest means sexual activity between certain close relatives (e.g., parent and child; siblings; grandparent and grandchild); intrafamilial means sexual activity between persons in a family setting, (e.g., stepparent and stepchild; parent's live-in partner and parent's child).

In most reported cases, the father or a male caretaker is the initiator of sexual activity and the victim is a female child. However, boys are also victims, more often than previously believed. Embarrassment and shame often deter children from reporting sexual abuse.

Sexual abuse of a child may begin at any age, from infancy through adolescence. The first incident of sexual abuse may be followed by guilt-provoking demands for secrecy and threats of terrible harm or consequences if the secret is revealed. The child may then fear disgrace, hatred, or blame for breaking up the family if he or she reveals the secret.

Regardless of how gentle, trivial, or coincidental the first incident may have been, sexual abuse tends to recur and escalate over time. The child may eventually blame himself or herself and believe that he or she may have tempted or provoked the abuser.

Although a mother is usually expected to protect her child, she may purposely stay isolated from the problem. By being distant and uncommunicative, or by disapproving of sexual matters, the mother may cause the child to be afraid to confide in her about the abuse.

One reason for the mother's behavior may be extreme insecurity. The potential loss of her husband or partner, and the economic security he provides, may be so threatening to her that she cannot

allow herself to believe or even to suspect that her child is at risk. Another reason for the mother's behavior may be that she was a victim of sexual abuse herself and she may consequently not trust her judgment or her right to challenge male authority. For these same reasons some mothers actually know their children are sexually abused but choose to look the other way.

Until the child is old enough to realize that incest is not a common occurrence, and until the child is strong enough to obtain help outside the family, there is no escape. This reality may change, though, if the abuse is reported by an outside party.

### **Extrafamilial sexual abuse**

Children who are abused by someone outside their family typically know their molester, commonly through contact at school or in the neighborhood, or through involvement in youth programs, churches, or other recreational activities. People who molest children fall into all age categories, including pre-teens and the elderly. Although there are several classifications of child molesters, pedophiles present the greatest danger to children because their main sexual interest is children.

Pedophiles tend to be well-liked by children. They often choose work in professions or volunteer organizations which allow them easy access to children and in which they can develop the trust and respect of children and their parents. They believe sex with children is appropriate and even beneficial. They lure children into sexual relationships with love, rewards, promises, and gifts.

Although most cases of extrafamilial abuse involve a perpetrator known to the child, cases of abuse by strangers do occur. Typically in these cases, the stranger will entice the child ("Will you help me find my puppy?"); or convince the child that his or her parent requested that the stranger pick up the child; or the stranger may simply abduct the child.

## **Emotional Maltreatment**

Emotional maltreatment consists of emotional abuse and emotional deprivation or neglect.

### **Emotional abuse**

Mandated reporters **may** report suspected emotional abuse. (Pen. Code, §11166.05.) However, suspected cases of severe emotional abuse that constitute willfully causing or permitting a child to suffer unjustifiable mental suffering **must** be reported. (Pen. Code, §11165.3.)

Just as physical injuries can incapacitate and scar a child, emotional maltreatment can similarly cripple and handicap a child emotionally, behaviorally, and intellectually. Severe psychological disorders have been traced to excessively distorted parental attitudes and actions. Emotional and behavioral problems, in varying degrees, are common among children whose parents abuse them emotionally.

Examples of how parents inflict emotional abuse on their children include excessive verbal assaults (such as belittling, screaming, threatening, blaming, or using sarcasm); unpredictable responses or inconsistency; continual negative moods; constant family discord; and double-message communication.

### **Behavioral indicators of emotional abuse**

Emotional abuse may be suspected if a child:

- Is withdrawn, depressed, or apathetic.
- Is clingy and forms indiscriminate attachments.
- "Acts out" and is considered a behavior problem.
- Exhibits exaggerated fearfulness.
- Is overly rigid in conforming to instructions of teachers, doctors, and other adults.
- Suffers from sleep, speech, or eating disorders.
- Displays signs of emotional turmoil that include repetitive, rhythmic movements (such as rocking, whining, or picking at scabs).
- Pays inordinate attention to details or exhibits little or no verbal or physical communication with others.

- Suffers from enuresis (wetting pants or bed) or fecal soiling.
- Unwittingly makes comments such as "Mommy always tells me I'm bad."

The behavioral patterns mentioned may, of course, be due to other causes, but the suspicion of emotional abuse should not be dismissed.

### **Behavioral indicators of parents or caretakers**

The following behavior exhibited by a parent or caretaker may suggest that a child is being emotionally abused:

- The parent or caretaker burdens the child with demands which are based on unreasonable or impossible expectations or are beyond his or her development capacity.
- The child is used as a "battleground" for marital conflicts.
- The child is used to satisfy the parent's or caretaker's own ego needs and the child is neither old nor mature enough to understand.
- The child is "objectified" by the parent or caretaker (i.e., the parent or caretaker refers to the child as "it" — "it" cried or "it" died).
- The child is exposed to or a witness of domestic violence.

Emotional abuse can become a self-fulfilling prophecy. For example, if a child is degraded enough, the child may "live up" to the image communicated by the abusing parent or caretaker.

Emotional abuse is very difficult to prove. Cumulative documentation by a law enforcement or child welfare agency may be necessary for effective intervention. Therefore, emotionally abused children should be referred for treatment as soon as possible.

### **Emotional deprivation**

Emotional deprivation or neglect has been defined as "the deprivation suffered by children when their parents do not provide the normal experiences producing feelings of being loved, wanted, secure and worthy." (Child Abuse Prevention Handbook...and intervention guide, January 2006, Page 11)



### **Behavioral indicators of emotional deprivation**

Emotional deprivation may be suspected if a child:

- Refuses to eat adequate amounts of food and thus is very frail.
- Is unable to perform normal learned functions for a given age (such as walking or talking).
- Displays antisocial behavior (such as aggression or disruption) or obvious delinquent behavior (such as drug abuse or vandalism); conversely, an emotionally deprived child may be abnormally unresponsive, sad, or withdrawn.
- Constantly "seeks out" and "pesters" other adults (such as teachers or neighbors) for attention and affection.
- Displays exaggerated fears.

When a parent ignores a child because of the parent's use of drugs or alcohol, psychiatric disturbances, personal problems, or other preoccupying situations, serious consequences may occur. However, these situations are not reportable unless they constitute a form of legally defined abuse.

## **What Is Not Child Abuse?**

Listed below are descriptions of situations or circumstances which are not child abuse for purposes of the California Child Abuse and Neglect Reporting Act:

- Corporal punishment that is not cruel or inhuman or does not result in a traumatic condition. (Pen. Code, § 11165.4.)
- Injuries caused by two children fighting during a mutual altercation. (Pen. Code, § 11165.6.)
- An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his or her employment as a peace officer. (Pen. Code, § 11165.6.)
- Reasonable and necessary force used by public school officials to quell a disturbance threatening physical injury to person or damage to property, for purposes of self-defense, or to obtain possession of a weapon or other dangerous objects. (Pen. Code, § 11165.4.)

- Voluntary sexual conduct between minors who are both under the age of 14 and who are of similar age and sophistication. (People v. Stockton Pregnancy Control Medical Clinic, Inc. (1988) 203 Cal.App.3d 225, 233-240.)
- Pregnancy of a minor, does not, in and of itself, constitute a basis for a reasonable suspicion of sexual abuse. (Pen. Code, §11166, subd. (a)(1).)
- Treatment by spiritual means as provided by 16509.1 of the Welfare and Institutions Code. (Pen. Code, §11165.2 (b).)
- An informed and appropriate medical decision. (Pen. Code, §11165.2 (b).)
- Not receiving specific medical treatment for religious reasons. (Pen. Code, § 11165.2 (b).)
- Positive toxicology screen at the time of delivery of an infant. (Pen. Code, §11165.13.)

## What Are Educator's Responsibilities?

School teachers, principals, counselors, nurses, supervisors of child welfare and attendance, and other designated school personnel who are mandated to report known or reasonably suspected instances of child abuse play a critical role in the early detection of child abuse. Symptoms or signs of abuse are often first seen by school personnel. Because immediate investigation by a law enforcement agency, or welfare department may save a child from repeated abuse, school personnel should not hesitate to report suspicious injuries or behavior.

**Your duty is to report, not investigate.**

In the discussion below, answers are provided to some of the common concerns expressed by educators regarding their legal responsibility to report known or reasonably suspected child abuse.

### What does the Child Abuse and Neglect Reporting Act require?

The Child Abuse and Neglect Reporting Act (Pen. Code, §11164 et seq.) requires certain professionals and lay persons

who have a special working relationship or regular contact with children to report known or suspected child abuse to the proper authorities. The following is an excerpt from the law:

*(a) ...a mandated reporter shall make a report to [the police or sheriff's department, the county probation department (if designated by the county to receive such reports), or the county welfare department] whenever the mandated reporter, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. The mandated reporter shall make a report to the agency immediately or as soon as is practicably possible by telephone and the mandated reporter shall prepare and send, fax or electronically transmit a written followup report thereof within 36 hours of receiving the information concerning the incident. The mandated reporter may include with the report any nonprivileged documentary evidence the mandated reporter possesses relating to the incident.*

*(1) For the purposes of this article, "reasonable suspicion" means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing, when appropriate, on his or her training and experience, to suspect child abuse or neglect....(Pen. Code, §11166.)*

**Which professionals are required by law to report suspected child abuse?**

Penal Code section 11165.7 defines "mandated reporters" of child abuse as follows:

- (1) A teacher.
- (2) An instructional aide.
- (3) A teacher's aide or teacher's assistant employed by any public or private school.
- (4) A classified employee of any public school.
- (5) An administrative officer or supervisor of child welfare and attendance, or a certificated pupil personnel employee of any public or private school.

- (6) An administrator of a public or private day camp.
- (7) An administrator or employee of a public or private youth center, youth recreation program, or youth organization.
- (8) An administrator or employee of a public or private organization whose duties require direct contact and supervision of children.
- (9) Any employee of a county office of education or the California Department of Education, whose duties bring the employee into contact with children on a regular basis.
- (10) A licensee, an administrator, or an employee of a licensed community care or child day care facility.
- (11) A Head Start program teacher.
- (12) A licensing worker or licensing evaluator employed by a licensing agency as defined in Section 11165.11.
- (13) A public assistance worker.
- (14) An employee of a child care institution, including, but not limited to, foster parents, group home personnel, and personnel of residential care facilities.
- (15) A social worker, probation officer, or parole officer.
- (16) An employee of a school district police or security department.
- (17) Any person who is an administrator or presenter of, or a counselor in, a child abuse prevention program in any public or private school.
- (18) A district attorney investigator, inspector, or local child support agency caseworker unless the investigator, inspector, or caseworker is working with an attorney appointed pursuant to Section 317 of the Welfare and Institutions Code to represent a minor.
- (19) A peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, who is not otherwise described in this section.
- (20) A firefighter, except for volunteer firefighters.
- (21) A physician, surgeon, psychiatrist, psychologist, dentist, resident, intern, podiatrist, chiropractor, licensed nurse, dental hygienist, optometrist, marriage, family and child counselor, clinical social worker, or any other person who is currently licensed under Division 2 (commencing with Section 500) of the Business and Professions Code.

- (22) Any emergency medical technician I or II, paramedic, or other person certified pursuant to Division 2.5 (commencing with Section 1797) of the Health and Safety Code.
- (23) A psychological assistant registered pursuant to Section 2913 of the Business and Professions Code.
- (24) A marriage, family and child therapist trainee, as defined in subdivision (c) of Section 4980.03 of the Business and Professions Code.
- (25) An unlicensed marriage, family, and child therapist intern registered under Section 4980.44 of the Business and Professions Code.
- (26) A state or county public health employee who treats a minor for venereal disease or any other condition.
- (27) A coroner.
- (28) A medical examiner or any other person who performs autopsies.
- (29) A commercial film and photographic print processor, as specified in subdivision (e) of Section 11166. As used in this article, "commercial film and photographic print processor" means any person who develops exposed photographic film into negatives, slides, or prints, or who makes prints from negatives or slides, for compensation. The term includes any employee of such a person; it does not include a person who develops film or makes prints for a public agency.
- (30) A child visitation monitor. As used in this article, "child visitation monitor" means any person who, for financial compensation, acts as monitor of a visit between a child and any other person when the monitoring of that visit has been ordered by a court of law.
- (31) An animal control officer or humane society officer. For the purposes of this article, the following terms have the following meanings:
  - (A) "Animal control officer" means any person employed by a city, county, or city and county for the purpose of enforcing animal control laws or regulations.
  - (B) "Humane society officer" means any person appointed or employed by a public or private entity as a

humane officer who is qualified pursuant to Section 14502 or 14503 of the Corporations Code.

- (32) A clergy member, as specified in subdivision (d) of Section 11166. As used in this article, "clergy member" means a priest, minister, rabbi, religious practitioner, or similar functionary of a church, temple, or recognized denomination or organization.
- (33) Any custodian of records of a clergy member, as specified in this section and subdivision (d) of Section 11166.
- (34) Any employee of any police department, county sheriff's department, county probation department, or county welfare department.
- (35) An employee or volunteer of a Court Appointed Special Advocate program, as defined in Rule 1424 of the Rules of Court.
- (36) A custodial officer as defined in Section 831.5.
- (37) Any person providing services to a minor child under Section 12300 or 12300.1 of the Welfare and Institutions Code.

**Are volunteers mandated reporters?**

No, unless otherwise specified in the law. However, volunteers of public or private organizations whose duties require direct contact and supervision of children are encouraged to obtain training in the identification and reporting of child abuse and are further encouraged to report known or suspected instances of child abuse and neglect to an agency specified in 11165.9. (Pen Code, §11165.7 (b).) Public and private organizations are encouraged to provide their volunteers with training on identification and reporting of child abuse and neglect. (Pen. Code, §11165.7 (f).)

**Does the law provide immunity from civil or criminal liability for mandated reporters?**

Yes. Mandated reporters are provided immunity from civil or criminal liability as a result of making a required or authorized report of known or suspected child abuse.

This immunity applies even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse and neglect

outside his or her professional capacity or outside the scope of his or her employment. (Pen. Code, §11172, subd. (a).)

Other persons who report are not liable either civil or criminally unless it can be proven that a false report was made and that the person who made it knew the report was false or made the report with reckless disregard of its truth or falsity. Any person who makes such a report is liable for any damages caused. (Pen. Code, §11172, subd. (a).)

**May a mandated reporter who is sued for reporting child abuse be reimbursed for attorney's fees?**

Yes. In the event a civil action is brought against a mandated reporter as a result of a required or authorized report of child abuse, he or she may present a claim to the California Victim Compensation and Government Claims Board for reasonable attorney's fees and costs incurred in the action if he or she prevails in the action or the court dismisses the action upon a demurrer or motion for summary judgment. The maximum hourly rate for recovery of attorney's fees is that charged by the State Attorney General at the time of the award and the maximum recovery is \$50,000. Public entities providing a defense pursuant to Government Code Section 995 may not file a claim for attorney's fees and costs. (Pen. Code, §11172, subd. (c).)

**Are employers required to inform mandated reporters of their legal responsibilities to report?**

Yes. Any mandated reporter who enters into employment on and after January 1, 1985, "prior to commencing his or her employment, and as a prerequisite to that employment, shall sign a statement on a form provided to him or her by his or her employer to the effect that he or she has knowledge of the provisions of Section 11166 and will comply with those provisions. The statement shall inform the employee that he or she is a mandated reporter and inform the employee of his or her reporting obligations under Section 11166 and of his or her confidentiality rights under subdivision (d) of Section 11167. The employer shall provide a copy of Sections 11165.7, 11166, and 11167 to the employee." (Pen. Code, §11166.5, subd. (a).)

Further, employers are strongly encouraged to provide their employees who are mandated reporters with training in the duties imposed by the Child Abuse and Neglect Reporting Act. The training shall include training in child abuse identification and reporting. Whether or not employers provide training, they shall provide to all employees being trained a written copy of the reporting requirements and a written disclosure of the employees' confidentiality rights. (Pen. Code, §11165.7 (c).)

School districts that do not train their employees who are mandated reporters in the duties of mandated reporters under the Child Abuse and Neglect Reporting Act shall report to the State Department of Education the reasons why this training is not provided. (Pen. Code, §11165.7 (d).)

Unless otherwise provided, the absence of training shall not excuse a mandated reporter from the duties imposed by the Child Abuse and Neglect Reporting Act. (Pen. Code, §11165.7 (e).)

**If I do not report, may I be prosecuted?**

Yes. Failure to report by telephone immediately, or as soon as practicably possible, and in writing within 36 hours is a misdemeanor "punishable by up to six months confinement in a county jail or by a fine of one thousand dollars (\$1,000) or by both imprisonment and fine." (Pen. Code, §11166, subd. (c).) However, if the mandated reporter's willful failure to report child abuse or neglect results in great bodily injury or death to a child, the mandated reporter "shall be punished by not more than one year in a county jail, by a fine of not more than five thousand dollars (\$5,000), or by both that fine and imprisonment." (Pen. Code, §11166.01 (b).) Basically, the purpose of this potential penalty is to ensure that mandated reporters will report all known or reasonably suspected incidents of child abuse immediately to the local police or sheriff's department, the county probation department (if designated by the county to receive such reports), or the county welfare department.



**May I lose my credentials if I fail to report?**

Yes. Educators who fail to report risk loss of their license or credential. "The Commission for Teacher Preparation and Licensing shall privately admonish, publicly reprove, revoke, or suspend [a credential] for immoral or unprofessional conduct, or for persistent defiance of, and refusal to obey, the laws regulating the duties of persons serving in the public school system...." (Educ. Code, §44421.) Moreover, a failure to report may result in personal civil liability. (See *Landeros v. Flood* (1975) 17Cal.3d 399, 423-415.)

**How do I report?**

A mandated reporter must immediately, or as soon as practicably possible, report by telephone a known or suspected incidence of child abuse (Pen. Code, §11166, subd. (a)) to the police or sheriff's department, county probation department (if designated by the county to receive mandated reports), or county welfare department. The following information, if known, shall be provided at the time of the call:

- Name, business address, and telephone number of the mandated reporter.
- Child's name, address and present location and, where applicable, the child's school, grade and class.
- Names, addresses, and telephone number of the child's parents or guardians.
- Source of the information that lead to the suspicion of child abuse.
- Name, address, telephone number and other personal information of person(s) who might have abused the child. (Pen. Code, §11167, subd. (a).)

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

The call must be followed within 36 hours by a followup written report to be sent, faxed or electronically transmitted to the agency to which the telephone report was made. (Pen. Code, §11166, subd. (a).) The written report must be filed on Department of Justice Form SS 8572, that can be downloaded from the Attorney

General's Web site at [www.ag.ca.gov](http://www.ag.ca.gov). (Click on Child Protection Program, click on Forms, click on Suspected Child Abuse Report Form. Instructions on completing the form are also included on the site. (See Appendix for a sample of this form.)

**Does the law allow schools to develop special procedures for reporting child abuse?**

Yes. It has been the practice of many schools to develop special procedures for reporting child abuse. School personnel who are mandated to report should be aware, however, that regardless of the existence of such procedures, reporting to a police or sheriff's department, probation department, or welfare department is still required by law, and "good intentions" may not be a defense in a criminal or civil action initiated for failure to report.

Furthermore, reporting is an individual responsibility. A mandated reporter may not be absolved of responsibility by relying on a supervisor or administrator to meet his or her individual reporting responsibility. (Pen. Code, §11166, subd. (i)(3).)

The law protects an individual who reports known or suspected child abuse to a police or sheriff's department, probation department, or welfare department so that he or she may do so without fear of any sanction for making the report. The supervisor or administrator may ask that the employee notify him or her that a report is being made; however, the employee cannot be prohibited or impeded from making a report directly to a police or sheriff's department, probation department, or welfare department. (Pen. Code, §11166, subd. (i) (1).) Furthermore, an employee making a report may not be required to disclose his or her identity to the employer. (Pen. Code, §11166, subd. (i) (2).) In addition, any supervisor or administrator who "impedes or inhibits" the reporting responsibility is punishable by a fine not to exceed one thousand dollars (\$1,000) or by not more than six months in a county jail, or by both a fine and imprisonment. (Pen. Code, §11166.01 (a).) However, if great bodily injury or death to a child results from "impeding or inhibiting" the reporting of child abuse and neglect, the person is subject to a fine of not more than five thousand dollars (\$5,000), by not more than one year in a county

jail, or by both a fine and imprisonment. (Pen. Code, §11166.01 (b).)

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse, they may elect one person to report. However, if the person elected to report fails to do so and the other person has knowledge of that fact, then the other person is responsible for making the report. (Pen. Code, §11166, subd. (h).)

**What happens to the report?**

Reports of child abuse are investigated either by the local law enforcement agency and/or by the county probation or welfare department. Reports received by the county probation or welfare department, except for reports involving general neglect and reports based on risk to a child which relates solely to the inability of the parent to provide the child with regular care due to the parent's substance abuse, shall be cross-reported immediately, or as soon as possible, to the local law enforcement agency having jurisdiction. (Pen. Code, §11166, subd. (j).) Law enforcement is also required to cross-report immediately, or as soon as possible, to the county welfare or probation department. (Pen. Code, §11166, subd. (k).) The reporting law is designed to ensure that law enforcement, county welfare, and probation departments receive and review all reports whether initially reported to them or to another agency designated in Penal Code section 11165.9. (Pen. Code, §11166, subds. (j) (k).)

Those required to report child abuse should be aware that reporting does not always mean that criminal or civil proceedings will be initiated against the suspected abuser. If an investigation does not reveal evidence of child abuse but suggests a potential of abuse or other family problems a child welfare agency may intervene and offer appropriate services to prevent abuse before it happens.

**Are mandated reporters required to give their names when they make a report?**

Yes. (Pen. Code, §11167, subd. (a).)

**Is the identity of a mandated reporter confidential?**

Yes. The identity of a person who reports known or suspected child abuse is confidential and may only be disclosed as follows:

- Between agencies receiving or investigating the report.
- To the district attorney in a criminal prosecution.
- To the district attorney in an action initiated under Welfare and Institutions Code Section 602 (minors violating laws defining crime, wards of court) arising from alleged child abuse.
- To the child's appointed counsel pursuant to Welfare and Institutions Code Section 317, subdivision (c).
- To the county counsel or district attorney in a proceeding under Family Code Section 7800 et seq. (termination of parental rights) or Welfare and Institutions Code Section 300 (dependent children).
- To a licensing agency when abuse in out-of-home care is reasonably suspected.
- By court order.
- When the reporter waives confidentiality. (Pen. Code, §11167, subd. (d) (1).)

**Are reports of suspected child abuse confidential?**

Yes. Required reports of suspected child abuse are confidential. The reports, and the information contained therein, may be disclosed only to the following:

- To persons or agencies to whom the reporter's identity may be disclosed. (See above.)
- To persons or agencies to whom disclosure of information maintained in the Department of Justice's Child Abuse Central Index is permitted under Penal Code Section 11170, subdivision (b), or Penal Code Section 11170.5, subdivision (a).
- To persons or agencies with whom investigations of child abuse are coordinated under the regulations promulgated under Penal Code Section 11174 (investigation of abuse in out-of-home care).
- To multidisciplinary personnel teams as defined in Welfare and Institutions Code Section 18951, subdivision (d).
- To persons or agencies responsible for the licensing of facilities that care for children, as specified in Penal Code Section 11165.7.

- To the State Department of Social Services or any county licensing agency which has contracted with the state when an individual has applied for a community care license or child day care license, when an individual has applied for employment in an out-of-home care facility, or when a complaint alleges child abuse by an operator or employee of an out-of-home care facility.
- To hospital scan teams.
- To coroners and medical examiners when conducting a postmortem examination of a child.
- To the Board of Prison Terms when subpoenaed for parole revocation proceedings against a parolee charged with abuse.
- To personnel from an agency responsible for making a placement of a child.
- To persons who have been identified by the Department of Justice pursuant to Penal Code Section 11170, subdivision (b) (6) or (c), as listed in the Child Abuse Central Index. (The report may be redacted in order to maintain the confidentiality of the person who made the report.)
- To out-of-state law enforcement agencies conducting an investigation of child abuse, but only when the agency makes the request for the report in writing and on official letterhead and identifies the suspected abuser or victim by name.
- To persons who have verified with the Department of Justice pursuant to Penal Code Section 11170, subdivision (e), that they are listed in the Child Abuse Central Index. (The report may be redacted in order to maintain the confidentiality of the person who made the report.)
- To the chairperson of a county child death review team, or to his or her designee. (Pen. Code, § 11167.5, subd. (b).)

Any violation of these confidentiality provisions is a misdemeanor punishable by up to six months in the county jail or by a fine of \$500 or by both. (Pen. Code, § 11167.5 subd. (a).)

**May a school district release information from a pupil's record in an emergency without parental consent or judicial order?**

Yes. If a law enforcement agency needs information from a pupil's record in an emergency to protect the health or safety of that student or another person, the school may disclose that information (Educ. Code, §49076, subd. (b)(1).) This is a closely limited rule and, in fact, replaces a statute that had given more disclosure rights to the police.

Thus, if a law enforcement agency needs information from a school record, it must comply with Education Code Section 49076, subdivision (b)(1). When grounds for access are not clearly established, consultation with county counsel or school district legal staff is advisable.

**Is a school official required to notify a parent, guardian, or responsible relative when a minor pupil who is a victim of suspected child abuse is released into the custody of a peace officer?**

No. If a school releases a minor pupil who is suspected of being abused into the custody of a peace officer, and the school later receives an inquiry from the minor's parent or guardian as to the student's location, the parent or guardian should be referred to the law enforcement agency that took the minor into protective custody. The law specifies that:

[T]he school official shall provide the peace officer with the address and telephone number of the minor's parent or guardian. The peace officer shall take immediate steps to notify the parent, guardian, or responsible relative of the minor that the minor is in custody and the place where he or she is being held. If the officer has a reasonable belief that the minor would be endangered by a disclosure of the place where the minor is being held, or that the disclosure would cause the custody of the minor to be disturbed, the officer may refuse to disclose the place where the minor is being held for a period

not to exceed 24 hours. The officer shall, however, inform the parent, guardian, or responsible relative whether the child requires and is receiving medical or other treatment. The juvenile court shall review any decision not to disclose the place where the minor is being held at a subsequent detention hearing. (Educ. Code, §48906.)

Before releasing a child who is suspected of being abused to a peace officer, the school should obtain the officer's name, badge number, and telephone number so that it can later give it to a parent or guardian who inquires about the child's removal.

**May school personnel be present during an officer's interview of a child abuse victim on school grounds?**

Yes. The child must be given the option of being interviewed in private or selecting any adult who is a member of the school staff, including any certificated or classified employee or volunteer aide, to be present during the interview. The purpose of having a staff member at the interview is to lend support to the child and help him or her feel as comfortable as possible. However, the staff member must not participate in the interview or discuss the facts or circumstances of the case with the child. Furthermore, the staff member is subject to the reporting law's confidentiality requirements. A violation of confidentiality is a misdemeanor punishable by up to six months in jail or by a fine of \$500 or by both. Lastly, a staff member selected by a child may decline the request to be present at the interview. (Pen. Code, §11174.3, subd. (a).)

# Appendix

## Suspected Child Abuse Report DOJ SS 8572

### SUSPECTED CHILD ABUSE REPORT To Be Completed by Mandated Child Abuse Reporters Pursuant to Penal Code Section 11166

PLEASE PRINT OR TYPE

CASE NAME: \_\_\_\_\_

CASE NUMBER: \_\_\_\_\_

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

SS 8572 (Rev. 12/02)

#### DEFINITIONS AND INSTRUCTIONS ON REVERSE

DOJ will submit a copy of this form to the Department of Justice (DOJ). The investigating agency is required under Penal Code Section 11166 to submit to DOJ a Child Abuse Investigation Report Form SS 8583 if (1) an active investigation was conducted and (2) the incident was determined not to be unfounded.

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

(front)



# Suspected Child Abuse Report

## DOJ SS 8572

### DEFINITIONS AND GENERAL INSTRUCTIONS FOR COMPLETION OF FORM SS 8572

All Penal Code (PC) references are located in Article 2.5 of the PC. This article is known as the Child Abuse and Neglect Reporting Act (CANRA). The provisions of CANRA may be viewed at: <http://www.leginfo.ca.gov/calaw.html> (specify "Penal Code" and search for Sections 11164-11174.3). A mandated reporter must complete and submit the form SS 8572 even if some of the requested information is not known. (PC Section 11167(a).)

#### I. MANDATED CHILD ABUSE REPORTERS

- Mandated child abuse reporters include all those individuals and entities listed in PC Section 11165.7.

#### II. TO WHOM REPORTS ARE TO BE MADE ("DESIGNATED AGENCIES")

- Reports of suspected child abuse or neglect shall be made by mandated reporters to any police department or sheriff's department (not including a school district police or security department), the county probation department (if designated by the county to receive mandated reports), or the county welfare department. (PC Section 11165.9.)

#### III. REPORTING RESPONSIBILITIES

- Any mandated reporter who has knowledge of or observes a child, in his or her professional capacity or within the scope of his or her employment, whom he or she knows or reasonably suspects has been the victim of child abuse or neglect shall report such suspected incident of abuse or neglect to a designated agency immediately or as soon as practically possible by telephone and shall prepare and send a written report thereof *within 36 hours* of receiving the information concerning the incident. (PC Section 11166(a).)
- No mandated reporter who reports a suspected incident of child abuse or neglect shall be held civilly or criminally liable for any report required or authorized by CANRA. Any other person reporting a known or suspected incident of child abuse or neglect shall not incur civil or criminal liability as a result of any report authorized by CANRA unless it can be proven the report was false and the person knew it was false or made the report with reckless disregard of its truth or falsity. (PC Section 11172(a).)

#### IV. INSTRUCTIONS

- SECTION A - REPORTING PARTY:** Enter the mandated reporter's name, title, category (from PC Section 11165.7), business/agency name and address, daytime telephone number, and today's date. Check yes-no whether the mandated reporter witnessed the incident. The signature area is for either the mandated reporter or, if the report is telephoned in by the mandated reporter, the person taking the telephoned report.

#### IV. INSTRUCTIONS (Continued)

- SECTION B - REPORT NOTIFICATION:** Complete the name and address of the designated agency notified, the date/time of the phone call, and the name, title, and telephone number of the official contacted.

- SECTION C - VICTIM (One Report per Victim):** Enter the victim's name, address, telephone number, birth date or approximate age, sex, ethnicity, present location, and, where applicable, enter the school, class (indicate the teacher's name or room number), and grade. List the primary language spoken in the victim's home. Check the appropriate yes-no box to indicate whether the victim may have a developmental disability or physical disability and specify any other apparent disability. Check the appropriate yes-no box to indicate whether the victim is in foster care, and check the appropriate box to indicate the type of care if the victim was in out-of-home care. Check the appropriate box to indicate the type of abuse. List the victim's relationship to the suspect. Check the appropriate yes-no box to indicate whether photos of the injuries were taken. Check the appropriate box to indicate whether the incident resulted in the victim's death.

- SECTION D - INVOLVED PARTIES:** Enter the requested information for: Victim's Siblings, Victim's Parents/Guardians, and Suspect. Attach extra sheet(s) if needed (provide the requested information for each individual on the attached sheet(s)).

- SECTION E - INCIDENT INFORMATION:** If multiple victims, indicate the number and submit a form for each victim. Enter date/time and place of the incident. Provide a narrative of the incident. Attach extra sheet(s) if needed.

#### V. DISTRIBUTION

- Reporting Party:** After completing Form SS 8572, retain the yellow copy for your records and submit the top three copies to the designated agency.
- Designated Agency:** *Within 36 hours* of receipt of Form SS 8572, send white copy to police or sheriff's department, blue copy to county welfare or probation department, and green copy to district attorney's office.

#### ETHNICITY CODES

1 Alaskan Native	6 Caribbean	11 Guamanian	16 Korean	22 Polynesian	27 White-Armenian
2 American Indian	7 Central American	12 Hawaiian	17 Laotian	23 Samoan	28 White-Central American
3 Asian Indian	8 Chinese	13 Hispanic	18 Mexican	24 South American	29 White-European
4 Black	9 Ethiopian	14 Hmong	19 Other Asian	25 Vietnamese	30 White-Middle Eastern
5 Cambodian	10 Filipino	15 Japanese	21 Other Pacific Islander	26 White	31 White-Romanian

(back)

## Acknowledgments

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# Component 5

## Disaster Procedure, Routing and Emergency

# **DISASTER PROCEDURE, ROUTINE AND EMERGENCY**

## **(Component 5)**

The District Disaster Preparedness Plan provides directions for procedures for all schools in La Cañada Unified. Included in this section is the Site Disaster Plan with specific assignments of personnel to duties in the event of an emergency. A detailed description of the responsibilities of each team is a part of the La Canada Elementary Disaster Plan. A school Disaster Preparedness Committee is in place to evaluate and make changes to the school disaster plan as needed. Parents are informed of the disaster procedures via the tri-fold pamphlet, "Disaster Preparedness at LCE", the "LCUSD Elementary Schools Parent and Student Handbook", and the "LCE Directory".

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

The PTA also provides each building with a container of supplies necessary to sustain students and staff in the building until help arrives. All classrooms are equipped with an emergency bucket and storage clip board to take when evacuating the classroom. The bucket contains a small provision of first aid supplies. The clip board contains the site disaster plan and student accountability information for taking roll. Evacuation and emergency utilities shut-off location maps are displayed by the doors in all classrooms and in other rooms and offices around the campus.

The entire school practices a monthly evacuation or lockdown drill either in the AM or PM so that all students can become familiar with all emergency procedures. Once a year, our school district also participates in the "Great California Shake-Out". This statewide earthquake drill allows our school site disaster response teams to practice their duties. Volunteer parents also participate in simulating possible scenarios to assist our student release stations in reunifying parents with their students.

The district's "School Messenger" phone/email/text service allows school personnel to contact all parents/guardians immediately in case of an emergency. The service is also used to communicate important events and deadlines to parents/guardians.

Following in this component are:

- LCUSD Disaster Preparedness Plan
- LCUSD Family Communication Flowchart
- LCUSD Staff Communication Flowchart
- La Canada Elementary School Disaster Plan 2018-2019
- "Disaster Preparedness at LCE" (tri-fold pamphlet for parents)
- "Emergency/Disaster Preparedness" excerpt from the "LCUSD Elementary Schools Parent and Student Handbook 2018-2019"
- LCE Lockdown Procedure

## **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 it's 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.

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 Release Stations. 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 LCE 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, KFWB 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.

## **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] – Playground in front of stage**

<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 Counselor	1. Assists EOC leader in duties as assigned.	
Librarian	1. Accounts for the presence of all students & staff. 2. Assigns search teams to areas. 3. Assigns extra personnel to appropriate duties. 4. Assigns personnel to determine available resources.	homeroom rosters, teacher list, disaster attendance form, map
<u><b>Equipment/Supplies needed for the EOC(some items may be in the DSB):</b></u>		
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 – Pavillion

<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 Disaster Van.

Work together, proceed in orderly and pre-established sweep pattern, checking each classroom, storage room, restroom, etc. visually, vocally and physically. Take 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. Confirm existence and location of fire. Notify the EOC, rescue students, use 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 – Report to EOC**

<u>Personnel</u>	<u>What they do</u>	<u>Equipment needed</u>
Staff Members	<ol style="list-style-type: none"><li>1. Stationed at main entrances to campus to refer parents to Communications Gate and EAA.</li><li>2. Route rescue ambulance and police to area of need.</li><li>1. Locks all external gates as directed.</li></ol>	Signs to post
<u>Equipment/Supplies needed for Campus Security(some items may be in the DSB):</u>		
Master keys, signs to post.		

**Damage Control/Prevention – Disaster Van**

<u>Personnel</u>	<u>What they do</u>	<u>Equipment needed</u>
Campus Security Aide	<ol style="list-style-type: none"><li>1. Turn off gas and electric supplies if directed by EOC, and check utilities.</li></ol>	Flashlight, Master keys
P.E. Teacher	<ol style="list-style-type: none"><li>2. Take appropriate action to minimize damage to school site.</li><li>3. Survey and report to EOC the extent of damage to school site.</li></ol>	
<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.		

**Student Release – 2 Tables located at Playground Entrances**

<u>Personnel</u>	<u>What they do</u>	<u>Equipment needed</u>
<u>Com. Gate</u> 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
<u>Reunion Gate</u> 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.
<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.		

**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
<u>Equipment/Supplies needed for Damage Control/Prevention(some items may be in the DSB):</u> None		

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

# Family Communication Flowchart

**Emergency**

**School Messenger**  
Email

**School Messenger**  
SMS (Text Message)

**School Messenger**  
Phone Message



**Non-Emergency**

**School**  
**Operations**

**District Website**  
Enrollment  
Master Calendar  
LCUS Board News  
LCUSD Departments

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

**PTA Website**  
Enrichment Classes  
Events  
One Check Order Form

**Classroom Info.**  
**and Updates**

**Teacher Website**

**Contact Teacher:**  
Email  
Phone

**Thursday Folder**

**Good News**

Twitter  
Instagram



**School Updates**

**School Messenger**  
Principal News  
Reminders  
Updates as Needed

**PTA Newsletter**  
Get Involved  
School/Community Events  
Weekly News

# Staff Communication Flowchart

**Emergency**

**School Messenger  
Email**

**School Messenger  
SMS (Text Message)**

**Slack**



**Non-Emergency**

**School  
Operations**

**Staff Handbook**  
Board Policies  
Schedules  
Forms

**School and  
District Website  
and Calendar**

**IPG, LCAP, Team  
Leader, and Grade  
Level Rep Meetings**

**School News:  
Private**

**Weekly Bulletin**

**Email and School  
Calendar**

**Whiteboard in  
Lounge**

**Good News**

 **Twitter**  
 **Instagram**

**School News:  
Public**

**School Messenger**  
Principal News  
Reminders  
Updates as Needed

**PTA Newsletter**  
Get Involved  
School/Community Events  
Weekly News

# La Cañada Elementary School

## Disaster Plan 2018 – 2019

### EVACUATION PROCEDURE:

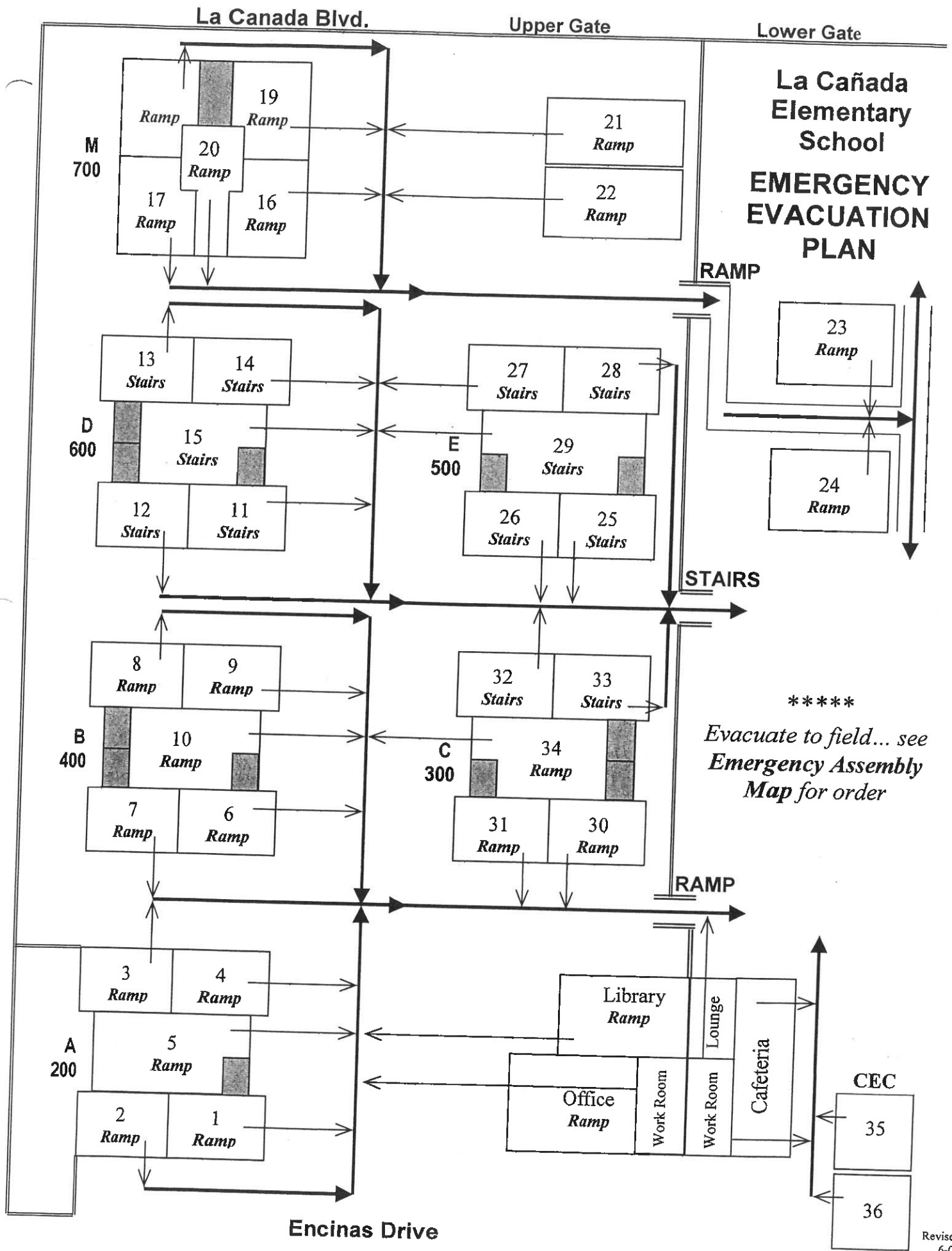
- **REMAIN CALM & Give safety instructions to students** (*earthquake, fire, etc.*)
- **When safe:**
  - Take emergency bucket and gray clipboard
  - Evacuate students from building & **LEAVE CLASSROOM DOOR AJAR!**  
(*Position LockBlok so that the door remains open while locked*)
  - If injured remain in classroom, place "Injuries Inside" card on outside of exit door to alert Sweep & Rescue. (*Yellow card on magnetic clip is located on inside of classroom exit door for quick access*)
  - Assemble on classroom line-up number on field
- **Identify "Buddy Class(es)":**
  - Confirm class(es) are evacuating
  - Notify EOC (Emergency Operation Center) if a "buddy" teacher stays behind
- **Walk students to field for Emergency Assembly on assigned number.**  
*\*\*\* (Teachers in programs outside of school day (Reading Intervention, Chess Nuts, etc.) must walk students to the field for Emergency Assembly on an unassigned number. **Do not send** students to their homeroom teachers. Program teachers are responsible for student supervision.)*
- **Line up your students in alphabetical order.**  
(*Send visiting students from other classes back to their homeroom teachers*).
- **5<sup>th</sup>/6<sup>th</sup> Grade Teachers** – After taking roll, send assigned students to their teams:
  - Student Tent Team
  - Student Runners

### ATTENDANCE PROCEDURE:

1. **Take roll:** Give students their picture ID. lanyard (if available) and attach pre-printed, adhesive name labels (located inside clipboard) to each student to quickly identify missing students. Use blank labels for students without name labels.
2. **Complete** pink attendance form and send to EOC with 2 students.
3. **Give** class roster to grade level supervising teacher(s) before reporting to your assigned Disaster Response Team. Attach labels of absent students to roster.

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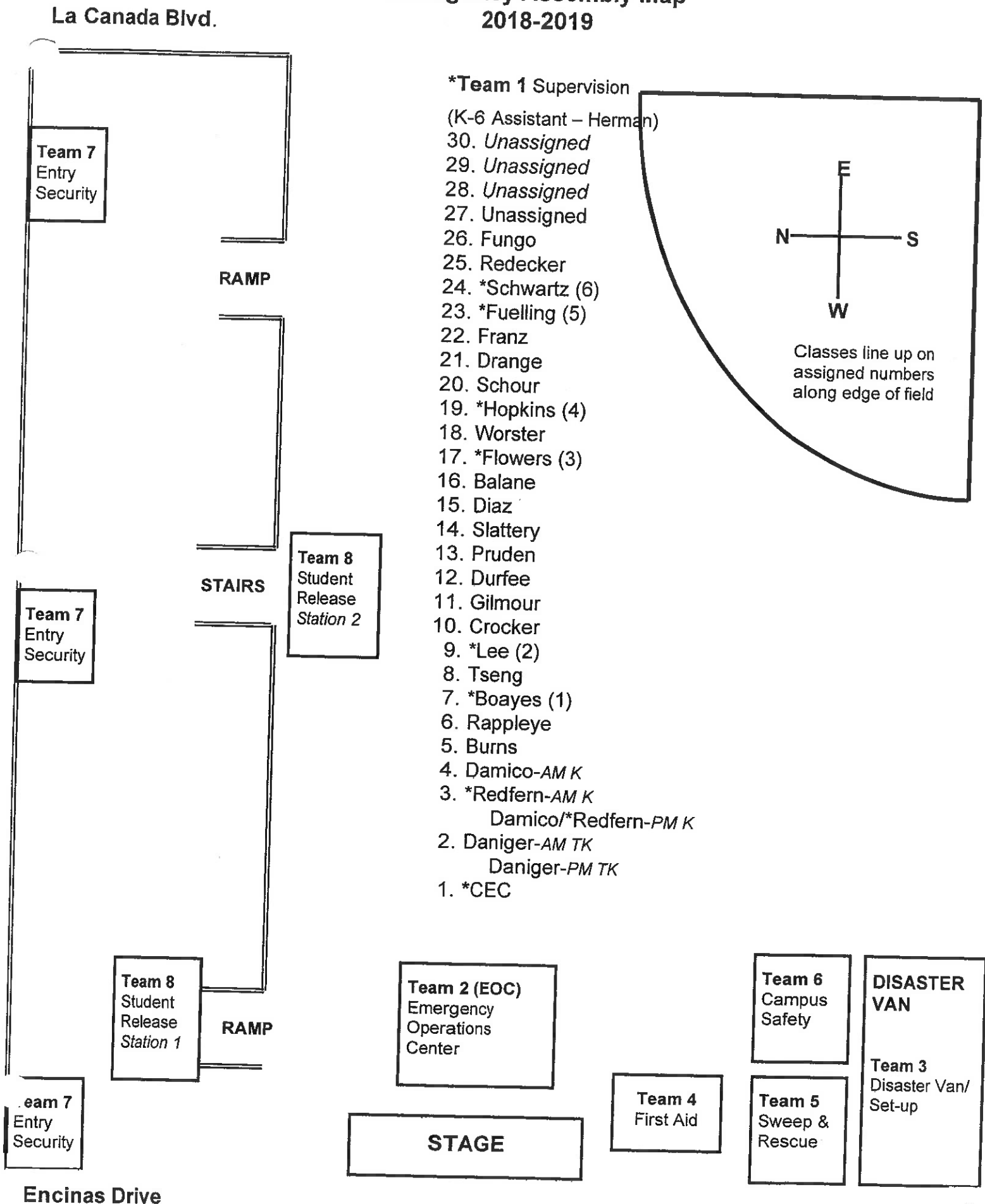
Emergency Buddy Classes  
2018-2019

Teachers & Room #s
Damico (1), Daniger (2)
Redfern (3), Tseng (4)
Pruden (7), Rappleye (6),
Balane (8), Diaz (9)
Durfee (34), Spanish (10)
Slattery (12), Boayes (11)
McGrath (15), Garcia (29)
Franz (13), Drange (14)
Schwartz (17), Ratliff (20)
Redecker (16), Fungo (19)
Davis (21), Brown (22)
Hopkins (27), Schour(28)
Worster (26), Flowers (25)
Crocker (32), Gilmour (33)
Lee (31), Burns (30)
Fuelling (23), Torres (24)
CEC Staff (35, 36)

1. Identify "Buddy" Class(s).
2. Confirm that class is evacuating.
3. Notify EOC if a "Buddy" teacher stays behind.



# La Cañada Elementary School Emergency Assembly Map 2018-2019



## **Disaster Response Teams**

### **\*Team 1: Student Supervision**

CEC - CEC Staff;

TK / Kinder AM/PM – Redfern, Steinbrugge, Reynaga

1<sup>st</sup> – Tseng, \*King, \*Leidelmeijer; 2<sup>nd</sup> – Y. Lee

3<sup>rd</sup> – Flowers, \*Djagharbekian 4<sup>th</sup> – Hopkins

5<sup>th</sup> – Fuelling, \*Williams; 6<sup>th</sup> – Schwartz, \*Poulatian

TK-6 Supervision Assistant - Herman

*\*One-on-one aide*

### **\*Team 2: EOC (Emergency Operation Center)**

Blaney, J. Lee, Bahrami, DeBoer

Part Time Staff (*Crowe, Nassir, Hurley, Gregg, Fike, Hadley*),  
and Food Service *must be available to assist where needed.*

### **\*Team 3: Disaster Van/Set-up**

Freyberger, Hayes/Funches, Quinones/Rangel/Aguilar

Student Tent Team (5<sup>th</sup>/6<sup>th</sup> grade students chosen by PE Teacher)

### **\*Team 4: First Aid**

Johnson, Drange, Slattery, Davis, Torres, Barkhordarian, Ratliff, McGrath,  
Kochamba, Henry

CEC Staff Member, CEC Staff Member

### **\*Team 5: Sweep and Rescue**

**Team Leader:** Andrea Redecker

Rappleye, Balane, Schour, Crocker, Damico, Diaz, Daniger, Gilmour

### **\*Team 6: Campus Safety**

Cabrera/Dorado, Bobby (Maintenance)

### **\*Team 7: Entry Security**

Burns, Deno, Garcia, McAdams, Crowther, Smith/Paz, Hildebrand

### **\*Team 8: Student Release**

**Station 1:** Pruden, Franz, Worster, Barron, McAleenan

**Station 2:** Fungo, Boayes, Durfee, Brown, Pratt

6<sup>th</sup> grade Student Runners already chosen in 5<sup>th</sup> grade

5<sup>th</sup> grade Student Runners to be chosen by 5<sup>th</sup> grade teachers

*Note: At any time, staff may be pulled from one team to be placed on another team as needs arise.*

# Disaster Response Team #1

## Student Supervision

### Team:

**CEC - CEC Staff;**

**TK / Kinder AM/PM – Redfern, Steinbrugge, Reynaga;**

**1<sup>st</sup> - Tseng, \*King, \*Leidelsemeijer; 2<sup>nd</sup> – Y. Lee;**

**3<sup>rd</sup> - Flowers, \*Djagharbekian**

**4<sup>th</sup> - Hopkins; 5<sup>th</sup> – Fuelling, \*Williams; 6<sup>th</sup> – Schwartz, \*Poulatian**

**TK-6 Supervision Assistant – Herman (Pass out Walkie Talkies to supervisors)**

**Location:** Field (assigned grade level location)

### Duties:

1. Collect all class rosters from teachers in assigned grade level.
2. Remain in field location for supervision of assigned grade level.
3. Determine if first aid is needed.
4. Calm students.
5. Follow Student Release procedure as outlined below.
6. As students are released, check names off of class rosters.

**Student Release Procedure:** (Procedure also on gray clipboard)

Student Runner brings grade level supervisor "Student Release Card" with the name of the requested student for release.

- IF student is **IN** line:
  - a. Teacher notes "R" on class roster - student is being released
  - b. Release student to runner
  - c. Send "Student Release Card" **back** with runner
- IF student is **NOT** in line:

Make notation on "Student Release Card" indicating student location.

*Circle one of the following:*

  - Absent
  - Released
  - First Aid
  - Unknown

*Send student runner back to assigned Student Release station (1 or 2) with the "Student Release Card".*

**Supplies:** (From EOC)

- Walkie-talkies (**channel 12-26**) – 1 per grade level
- EB/LB lists for reference in gray clipboards.

## **Disaster Response Team #2**

### **Emergency Operations Center (EOC)**

**Team Leader:** Emily Blaney

*Alarm/Bell and Information Coordinator:* J. Lee

*Student/Staff Attendance Coordinator:* Bahrami

*Sweep and Rescue/EOC Contact:* DeBoer

*Part Time Staff (Crowe, Nassir, Hurley, Gregg, Fike, Hadley, Food Service)*

**Location:** Area in front of outdoor stage

#### **Duties:**

1. Pick up Walkie-talkies and 2-Way Radio from office
2. Report to designated location
3. Pick up EOC cart from Disaster Van
4. Account for all students and staff
5. Prepare list of missing students and staff
6. District communication – Blaney to Sinette
7. Report building damage and missing/injured students – Lee to Blaney
8. Report building damage and missing/injured students - DeBoer to Lee
9. Report injured students - Johnson to Lee
10. Assign staff and parent volunteers to duties as needed (**2 on stretcher duty**)

#### **Supplies:**

Walkie-talkies

Staff List

Site Map (DeBoer)

Emergency Status Sheet (Lee)

#### **EOC Cart –**

- Walkie-talkies (**channel 12-26**) – *Distribution to Response Teams.*

##### Programming:

1. With radio on, press “Menu”. The large left # flashes.
  2. Press “+” or “-” to change left #.
  3. Quickly press “Menu” again and the small right # flashes.
  4. Press “+” or “-” to change right #.
  5. Press “PTT” (push to talk) button to lock in channel.
- 1 Megaphone
  - 2 Student Release (Team 8) supply boxes.
  - 2 Student Release Banners
  - 3 Entry Security (Team 7) Supply boxes
  - 2 Entry Security Banners
  - Current Classroom / CEC / Early Bird/Late Bird Lists

## **Disaster Response Team #3**

### **Disaster Van / Set-up**

**Team:** Freyberger, Hayes/Funches, Quinones/Rangel/Aguilar

Student Tent Team: (5<sup>th</sup>/6<sup>th</sup> grade students chosen by PE Teacher):

Classroom teachers give class roster to grade level supervising teacher(s) before reporting to Team location.

**Location:** Disaster Van

**Duties:**

1. Report to designated location.
2. Open Disaster Van (Quinones).
3. Disseminate supplies to appropriate Disaster Response Teams.
4. When finished, report to EOC for further instructions.

**Supplies:**

Disaster Van –

- ☐ Disaster Van keys (Quinones and all other master key carriers)
- ☐ 2 Large E-Z Up Tents (Student Tent Team)
- ☐ 10x10 E-Z Up Tents (available if needed)

## **Disaster Response Team #4**

### **First Aid**

**Team Leader:** Laura Johnson

Drange, Slattery, Davis, Torres, Barkhordarian, Ratliff, McGrath,  
Kochamba, Henry

CEC Staff Member, CEC Staff Member

Classroom teachers give class roster to grade level supervising teacher(s)  
before reporting to Team location.

**Location:** Area between CEC and the Pavilion

#### **Duties:**

1. Report to designated location.
2. Pick up First Aid supplies from the Disaster Van.
3. Supervise Student Tent Team in tent set-up.
8. Team Leader assigns specific job to each team member.  
(Triage, Scribe, Treatment (3), Re-stock supplies).
9. Designate/dispatch team members to attend to injured.
10. Record information on extent of each injury and determine need for assistance.
11. Report injuries to EOC as needed.

#### **Supplies:**

Health Office –

- ☐ Walkie-talkie (**channel 12-26**) - Johnson
- ☐ Medication Cart (2 drawer cabinet)
- ☐ Disaster Information Notebook
- ☐ Staff Emergency Forms Notebook
- ☐ Student Sign-out Sheet
- ☐ Volunteer Sign-in Sheet
- ☐ Wheel Chair
- ☐ Back packs (behind bed)

Disaster Van –

- ☐ Stretchers
- ☐ 2 Folding Tables
- ☐ Blankets/triage tarps
- ☐ First Aid Supplies
- ☐ Bleach

## Disaster Response Team #5

### Sweep and Rescue

**Team Leader:** Andrea Redecker

**EOC Contact:** Nancy DeBoer

Rappleye, Balane; Schour, Crocker; Damico, Diaz; Daniger, Gilmour

Classroom teachers give attendance sheet to Team 1 grade level supervisor(s) prior to reporting to Team location.

**Location:** Gather at Disaster Van

#### **Duties:**

1. Report to designated location.
2. Pick up Sweep and Rescue bags from Disaster Van.
3. **Turn on Walkie-talkies (turn left knob to the word "Sweep").**
4. Report to EOC for instructions on those reported missing/injured.
5. Begin sweep in office while waiting for missing and injured list.
6. Begin search for those reported missing/injured once list is established.
7. Determine, as a group, where to begin sweep, go together, divide team as appropriate.
8. Check doors for "Injuries Inside" signs. If no sign is posted and there are injured persons inside, tape "Injuries Inside" signs to both outside doors.
9. Leader (Redecker) to notify EOC (DeBoer) immediately when missing/injured are found – communicate names if known.
10. When entering room, make a slash "/" on outside door with chalk or blue tape. When sweep is completed, change slash to an "X" and keep door **unlocked**.
11. If building is unsafe, mark a "U" on closed door.
12. Complete sweep in all rooms of buildings (visually, vocally, & physically).
13. When removing injured person(s) from room, remove "Injuries Inside" sign from door.
14. **Groups** report to Team Leader:
  - Location of injured persons.
  - Areas determined unsafe.
  - Sweep completion.

#### **Team Leader** reports to EOC:

- Location of missing/injured persons.
- Areas determined unsafe.
- Completed sweep information for each building.

When finished, report to EOC for further instructions.

**Supplies:**

Disaster Van –

- 4 Sweep bags (*includes hard hats, walkie-talkies, "Injuries Inside" signs, flashlights safety equipment, etc.*).



## Disaster Response Team #6

### Campus Security

**Team:** Cabrera/Dorado, and Bobby (Maintenance Office)

**Location:** Gather at Disaster Van

#### **Duties:**

1. Take walkie-talkie with you (**channel 12-26**).
2. Report to designated location.
3. Pick up backpacks and shut off tools from Disaster Van.
4. Gates: **DO NOT TOUCH THE CHAIN-LINKED FENCE UNTIL YOU HAVE VISUALLY DETERMINED THAT THERE ARE NO POWER LINES NEXT TO OR IN CONTACT WITH THE FENCE!**
  - Unlock – Upper La Canada Blvd.
  - Lock – Lower La Canada Blvd.  
(unlock when Emergency Services arrive)
  - Lock – Loading dock gate and front cafeteria doors
4. Check status of utilities:
  - Water
  - Gas
  - Electricity
5. Report site damage to EOC.
6. When finished, report to EOC for further instructions.

#### **Supplies:**

Disaster Van –

- ☐ Backpacks (*includes hard hats and other equipment*).
- ☐ Shut off tools

## Disaster Response Team #7

### Entry Security

**Team:** Burns, Deno, Garcia, McAdams, Crowther, Smith/Paz, Hildebrand

Classroom teachers give class roster to grade level supervising teacher(s) before reporting to Team location.

**Location:** Gather at EOC

#### **Duties:**

1. Report to designated location.
2. Pick up walkie-talkies (**Channel 12-26**), Entry Security Banners, and supply boxes from the EOC Cart.
3. Report to security entrances:
  - Encinas Dr.
  - La Canada Blvd. (Upper Gate) – **DO NOT TOUCH THE CHAIN-LINKED FENCE UNTIL YOU AND/OR CAMPUS SECURITY HAS VISUALLY DETERMINED THAT THERE ARE NO POWER LINES NEXT TO OR IN CONTACT WITH THE FENCE!**
4. Hang Banners:
  - La Canada Blvd. – attach to chain-linked fence.
  - Encinas Dr. – attach to school name wall (hardware in wall).
5. Tape off areas to direct parents.
6. Give parents 1 blue "*Student Release Instructions*" sheet.
7. Give parents 1 "*Student Release Card*" per student.
8. Direct parents to a "Student Release" Station (1 or 2).
9. Route Emergency Services (Fire, Police, Ambulance, etc).

#### **Supplies:**

EOC Cart –

- Walkie-talkies (**channel 12-26**) – 1 per entrance
- 2 Entry Security Banners (1 for each entrance)
- 3 Supply boxes (includes bull horns, caution tape, "Student Release Instructions" sheets, "Student Release Cards", pencils, and other supplies).

## Disaster Response Team #8

### Student Release

#### **Team:**

*Station 1:* Pruden, Franz, Worster, Barron, McAleenan, & Student Runners

*\*Communication Contact – **McAleenan** (set walkie-talkie to **channel 12-26**)*

*Station 2:* Fungo, Boayes, Durfee, Brown, Pratt, & Student Runners

*\*Communication Contact - **Pratt** (set walkie-talkie to **channel 12-26**)*

Classroom teachers give class roster to grade level supervising teacher(s) before reporting to Team location.

**Location:** Gather at EOC – (Student Runners report to assigned Station)

#### **Duties:**

1. Report to designated location.
2. Pick up Station supply boxes, banners, and walkie-talkies – 1 per station (**channel 12-26**) from EOC Cart.
3. Report to Student Release Station:
  - **Station 1** – *Playground entry next to library*
  - **Station 2** – *Playground entry at stairs above basketball courts*
4. Hang Student Release Banners:
  - Station 1 – attach to entry above rooms 30 & 31 (Pod C).
  - Station 2 - attach to chain-linked fence at playground entry.

**DO NOT TOUCH CHAIN-LINKED FENCE UNTIL YOU AND/OR CAMPUS SECURITY HAS VISUALLY DETERMINED THAT THERE ARE NO POWER LINES NEXT TO OR IN CONTACT WITH THE FENCE!**

5. Follow “Student Release Procedure” (instructions on next page)

## Supplies:

Disaster Van –

- 2 Folding tables (1 per station)
- Orange cones

EOC Cart –

- Walkie-talkies (**channel 12-26**) – 1 per station
- 2 Student Release Banners (1 designated for each station)
- 2 Supply boxes – 1 per station (includes bull horns, Black Binder, Student Labels, Student Runner yellow armbands, etc).

## Student Release Procedure:

1. Receive completed "*Student Release Card*" from adult.
2. Check Photo Id. (make notation and initial "*Student Release Card*").
3. If no photo Id., send the adult away.
4. Refer to "*Student Labels*" with "Y" or "N" code.
  - a.) If "Y" - Student may be released to any adult he/she recognizes.
    - Place "*student label*" (alpha. left to right) on back of "*Student Release Card*".
    - Give "*Student Release Card*" to student runner, then send to get requested student from class lineup.

***Check "Teacher note" on "Student Release Card" if requested student is not located in class lineup.***

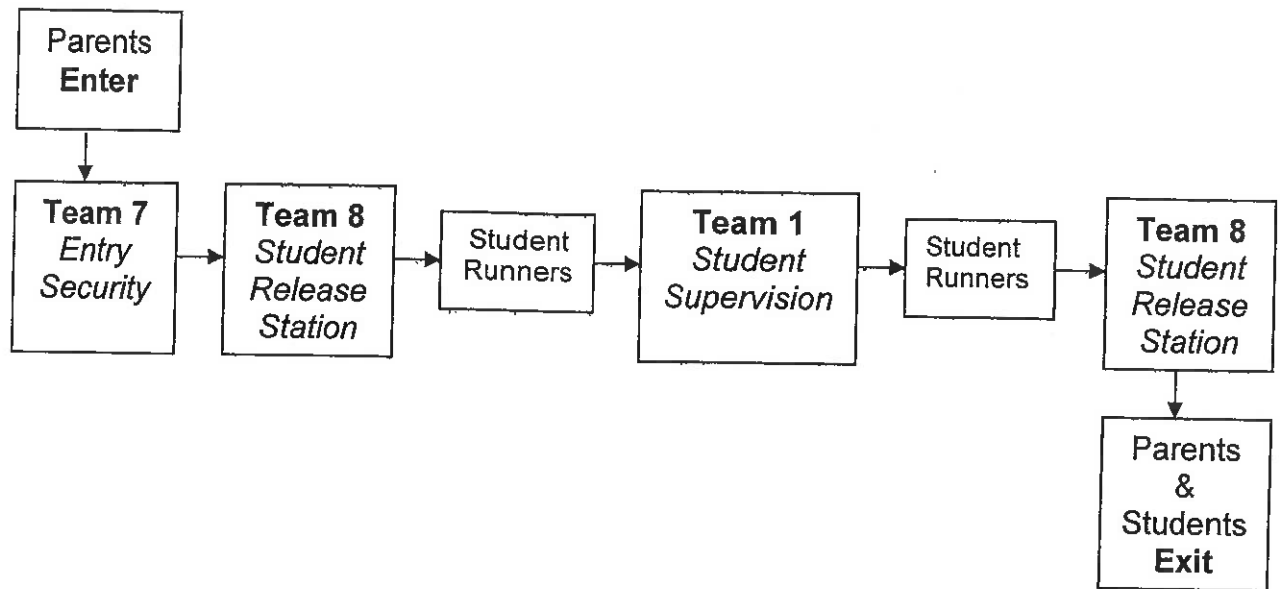
(Teacher note = Absent / Released / First Aid / Unknown)

- b.) If "N" or blank - Student may **only** be released to adults listed.
  - 1) Refer to *Black Binder* for names of authorized adults.
  - 2) If adult is authorized:
    - Place "*student label*" (alpha. left to right) on back of "*Student Release Card*".
    - Give labeled "*Student Release Card*" to student runner, then send to get requested student from class lineup.

***Check "Teacher note" on "Student Release Card" if requested student is not located in class lineup.*** (Teacher note = Absent / Released / First Aid / Unknown)

4. Stamp student's hand – (Student Runner duty).
5. Direct adult to exit at Encinas Dr. or La Cañada Blvd.
6. File "*Student Release Card*" in file box.

## Student Release Overview



1. Parents report to Entry Security and pick up "Student Release Cards" and instructions.
2. Parents proceed to one Student Release Station.  
*Station 1 – Playground entry next to library*  
*Station 2 – Playground entry at stairs above basketball courts*
3. Student runners report to Student Supervisors with names for release.
4. Student runners bring students back to assigned Student Release Stations where parents/emergency contacts will be waiting.
5. Parents and students exit Encinas Dr. or La Canada Blvd. as directed.

**La Cañada Elementary School  
Student Release Card**

(Please Print)

Student Name: \_\_\_\_\_

Teacher: \_\_\_\_\_ Grade: \_\_\_\_\_

Adult Requesting Student: \_\_\_\_\_

Relationship: \_\_\_\_\_

Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Proposed Destination: \_\_\_\_\_

Signature (person picking up student)

**STAFF USE ONLY -** ☐ ID Verified Initials: \_\_\_\_\_  
Release time: \_\_\_\_\_

Teacher note: Absent / Released / First Aid / Unknown

**La Cañada Elementary School  
Student Release Card**

(Please Print)

Student Name: \_\_\_\_\_

Teacher: \_\_\_\_\_ Grade: \_\_\_\_\_

Adult Requesting Student: \_\_\_\_\_

Relationship: \_\_\_\_\_

Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Proposed Destination: \_\_\_\_\_

Signature (person picking up student)

**STAFF USE ONLY -** ☐ ID Verified Initials: \_\_\_\_\_  
Release time: \_\_\_\_\_

Teacher note: Absent / Released / First Aid / Unknown

**La Cañada Elementary School  
Student Release Card**

(Please Print)

Student Name: \_\_\_\_\_

Teacher: \_\_\_\_\_ Grade: \_\_\_\_\_

Adult Requesting Student: \_\_\_\_\_

Relationship: \_\_\_\_\_

Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Proposed Destination: \_\_\_\_\_

Signature (person picking up student)

**STAFF USE ONLY -** ☐ ID Verified Initials: \_\_\_\_\_  
Release time: \_\_\_\_\_

Teacher note: Absent / Released / First Aid / Unknown

**La Cañada Elementary School  
Student Release Card**

(Please Print)

Student Name: \_\_\_\_\_

Teacher: \_\_\_\_\_ Grade: \_\_\_\_\_

Adult Requesting Student: \_\_\_\_\_

Relationship: \_\_\_\_\_

Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Proposed Destination: \_\_\_\_\_

Signature (person picking up student)

**STAFF USE ONLY -** ☐ ID Verified Initials: \_\_\_\_\_  
Release time: \_\_\_\_\_

Teacher note: Absent / Released / First Aid / Unknown

**La Cañada Elementary School  
Student Release Card**

(Please Print)

Student Name: \_\_\_\_\_

Teacher: \_\_\_\_\_ Grade: \_\_\_\_\_

Adult Requesting Student: \_\_\_\_\_

Relationship: \_\_\_\_\_

Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Proposed Destination: \_\_\_\_\_

Signature (person picking up student)

**STAFF USE ONLY -** ☐ ID Verified Initials: \_\_\_\_\_  
Release time: \_\_\_\_\_

Teacher note: Absent / Released / First Aid / Unknown

**La Cañada Elementary School  
Student Release Card**

(Please Print)

Student Name: \_\_\_\_\_

Teacher: \_\_\_\_\_ Grade: \_\_\_\_\_

Adult Requesting Student: \_\_\_\_\_

Relationship: \_\_\_\_\_

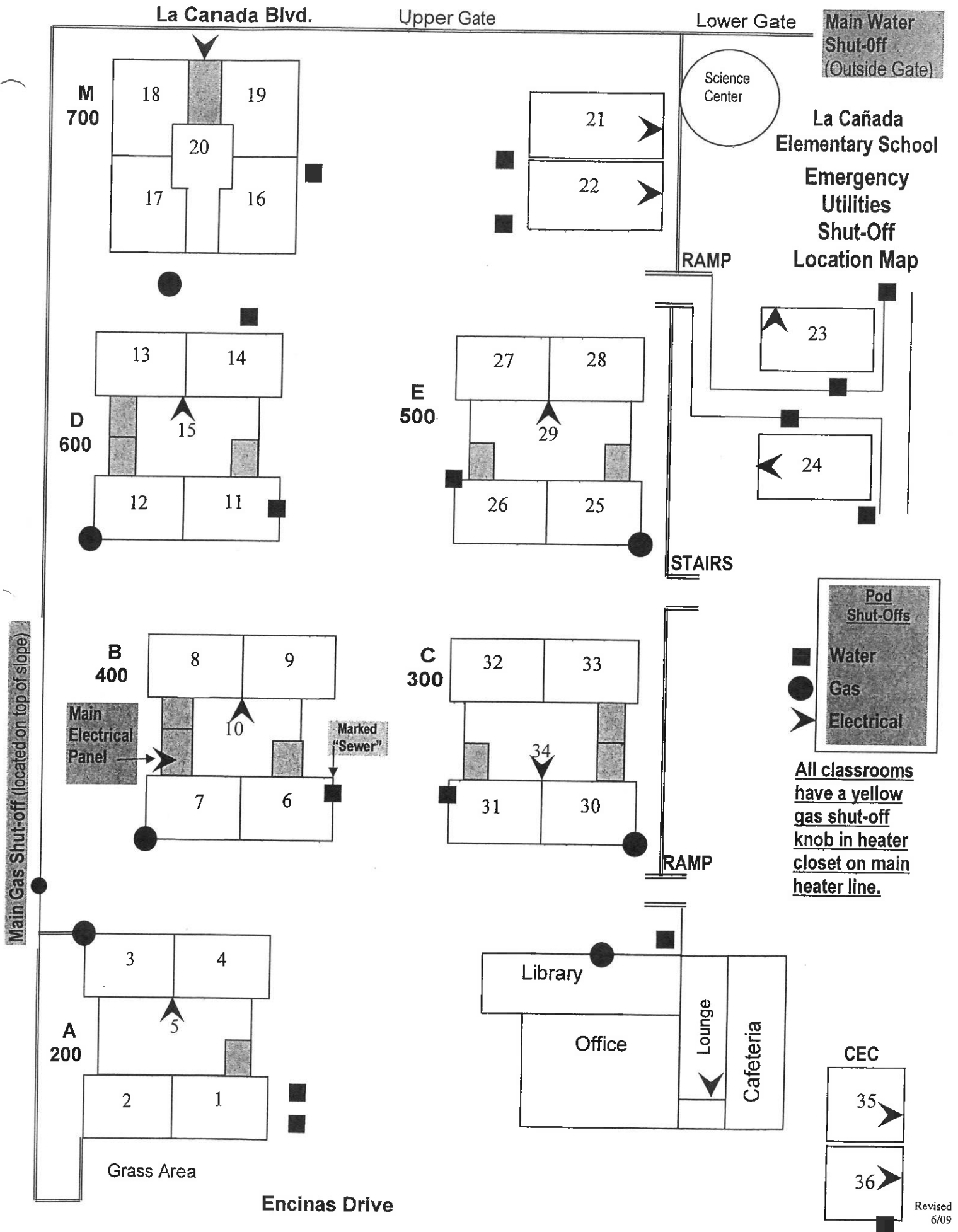
Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Proposed Destination: \_\_\_\_\_

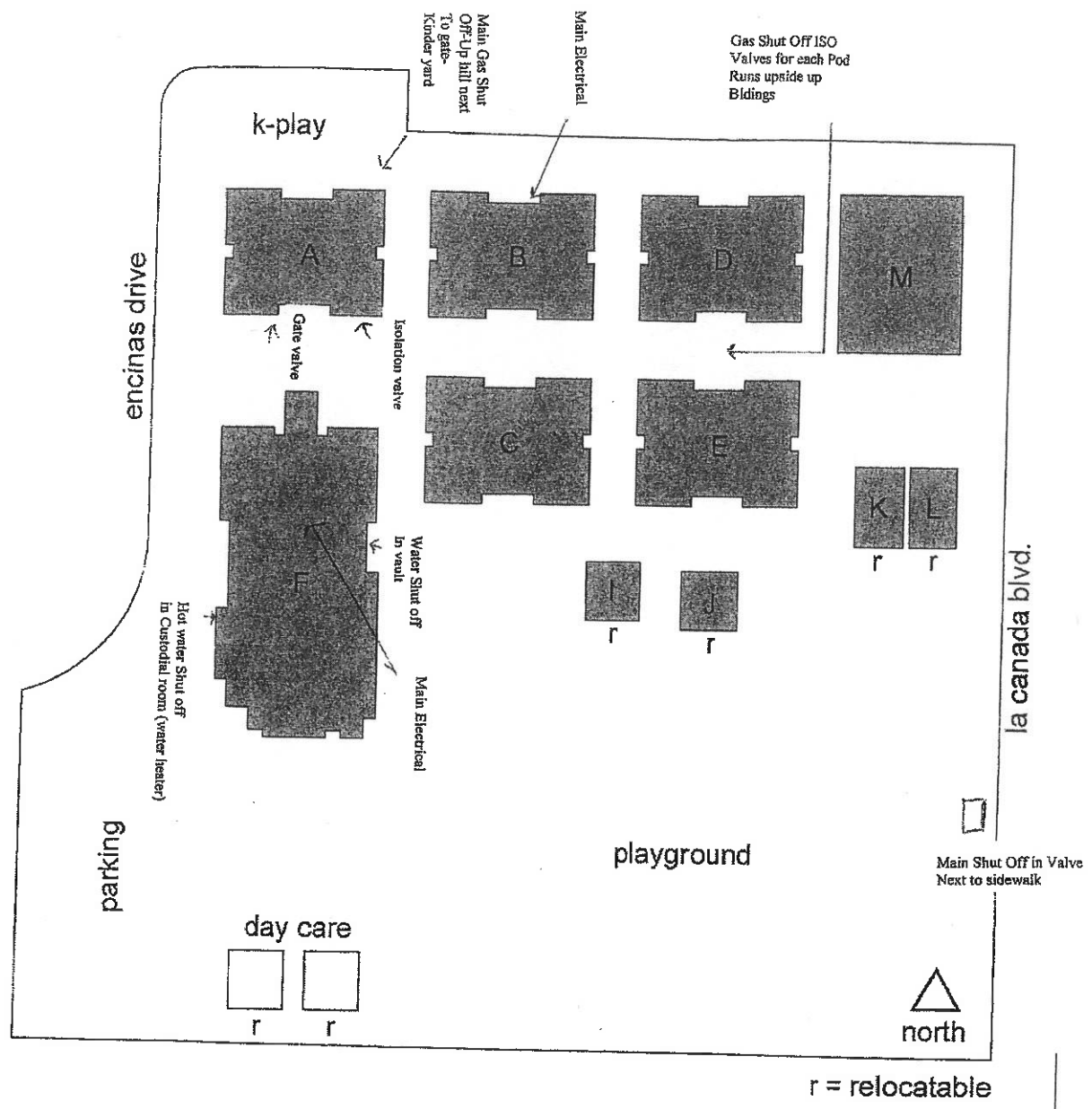
Signature (person picking up student)

**STAFF USE ONLY -** ☐ ID Verified Initials: \_\_\_\_\_  
Release time: \_\_\_\_\_

Teacher note: Absent / Released / First Aid / Unknown



Each room has a sub panel





## COMMUNICATION

### School Messenger

- Automated phone messaging system
- Enables the school/district to personally communicate with parents and staff regarding emergency situations within minutes
- Listen carefully and follow the instructions

### Electronic Updates via web

- (provided internet access is available)
- LCUSD ([www.lcUSD.net](http://www.lcUSD.net))
- LCEPTA ([www.lcepta.ourschoolpages.com](http://www.lcepta.ourschoolpages.com))

### Other Resources:

- La Cañada City Hall: (818) 790-8880
- American Red Cross: (626) 799-0841
- LA County Fire Department
  - Station #82: (818) 790-4686
- Cal Trans (for road conditions): (800) 427-7623
- CHP (Altadena): (626) 296-8100
- <http://www.fcc.gov>
- AM Radio: 1070 (KNX), 640 (KFI), 790 (KABC)

## COMFORT BAG

Return the comfort bag to your child's teacher as soon as possible. In the event of an emergency, these items of comfort and care will mean a lot to your child.

- In a quart-size bag, include the following:
- 1 emergency space blanket
  - 1 or 2 nutrition bars (peanut free)
  - A family picture
  - A note of comfort

## DOING YOUR PART

A disaster or emergency can be anxiety-provoking, but children will feel more safe and secure when they know adults are calm and in control.

### The LCE Staff:

- Continues to evaluate and improve upon existing disaster/emergency procedures
- Collaborates with the District, City, PTA volunteers in disaster/emergency training to ensure LCE is prepared
- Conducts district-wide school disaster drills to further prepare for emergencies using real-life scenarios
- Will, in the event of a disaster/emergency, assess the extent of damages and/or injuries and evaluate the safety of campus, under the guidance and leadership of the principal

### The Students at LCE:

- Should pay close attention and use appropriate conduct during disaster drills/instruction
- In a real disaster or emergency:
  1. Students walking to and from school should proceed to school or return to school and assemble on the playground
  2. Students should proceed as instructed and remain calm

### The LCE Parents and Caregivers:

- Assure *emergency information in the Aeries Parent Portal* is filled out completely and accurately at the beginning of the school year. Pay close attention to the question, "In the event of a disaster, if parents are not available, my child may be released to an adult familiar to him/her." If you check "No", your child may only be released to you or those on your emergency contact list. If you check "Yes", your child can be released to any adult with whom he/she is familiar.
- Assure emergency information is updated as changes occur throughout the year
- Review disaster plan with your children and authorized and/or "familiar" adults
- Keep a copy of this brochure in an accessible location (e.g. car, purse, etc.)

## DISASTER PREPAREDNESS at LCE

Procedures to follow in the event of a disaster or emergency during the school day

## LA CAÑADA ELEMENTARY SCHOOL

4540 Encinas Drive  
La Cañada, CA 91011  
(818) 952-8350

District office: (818) 952-8300

\*\*\* In the event of a disaster or emergency, listen carefully and follow instructions you will receive via School Messenger \*\*\*

\*\*\* Note: Presentation of valid ID is **REQUIRED** before child(ren) are allowed to be released to an adult \*\*\*

## PARKING / TRAFFIC

**In the event of a disaster or emergency:**

- **Walk to school if possible** — traffic jams and road hazards, and parking difficulties, will undoubtedly make access to the school difficult

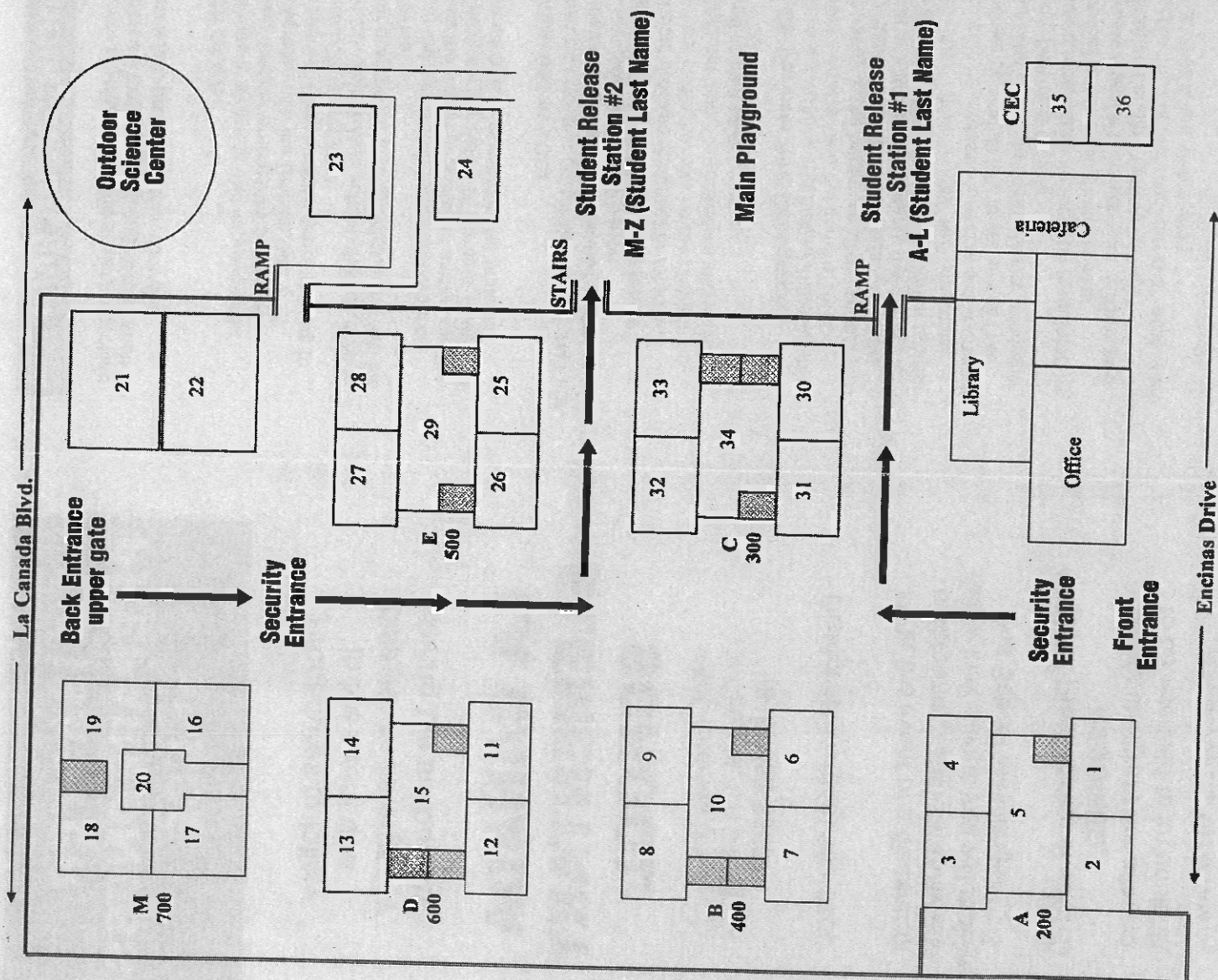
- PLEASE DO NOT PARK IN FRONT OF THE  
ENCINAS DR. OR LOWER  
LA CAÑADA BLVD. ENTRANCES—  
THESE ARE DESIGNATED FOR  
EMERGENCY VEHICLES ONLY  
DO NOT Double or "stack" park

## Student Check-out Procedures

**Access to one or both entrances on Encinas Dr. and La Cañada Blvd. will be determined per accessibility in the emergency situation**

Proceed calmly and promptly through campus as follows:

- 1. Security Entrance**
  - Obtain student release card(s) from designated staff
  - Fill out one card per student
- 2. Student Release Station**
  - Hand completed card(s) to designated staff member
  - Valid ID must be presented to staff member (Driver License, Photo ID, or phone image of Driver License)
  - Students will **ONLY** be released to adults to whom parents have given permission
  - Student(s) will be brought to the Student Release Station to meet authorized adult.
- 3. Exit**
  - Through either Encinas Dr. or La Cañada Blvd. entrances as directed.



keeping schools free of these risky behaviors is a major concern of the schools and the community. LCUSD actively supports cooperation between schools, parents/guardians, students, law enforcement and other appropriate community agencies which are involved in alcohol, tobacco and drug prevention programs.

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

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

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

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### **EMERGENCY/DISASTER PREPAREDNESS**

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

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

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

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

**We ask that you do the following:**



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

In the meantime, we suggest that each family design its own disaster preparedness plan.

***Radio stations KFI (640 am) and KNX (1070 am) broadcast school closure information. In the event of an emergency outside operating school hours, please refer to the radio for school closure information as well.***

Our *SchoolMessenger* phone calling system calls all parents in the event of a disaster. In a real disaster, please listen carefully to the message we send. We will give you directions on where to pick up your child. In most cases, you will pick up your child at their elementary school. But in the case of a nearby fire, we may evacuate to a safer place.

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

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

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### **CONTACTING STUDENTS/PHONE USE**

**Delivering Items** - Lunches, lunch money or homework/projects need to be brought to the office and have the student's name clearly marked. Students are not permitted to wait inside or outside the office for forgotten items. **We will not interrupt class** to notify a child of items delivered to the office; however students are permitted to check for delivered items at recess and lunch. Please discuss this policy with your child in advance so he/she will know to check in the office for forgotten items at the appropriate time.

**Messages to Students** - Messages to students will be delivered to class only in **emergency situations**. We will notify students to come to the office when eyeglasses are delivered or when medication must be administered. **Please do not disrupt classroom instruction.**

## LCE Lockdown Procedure

## HIGHLY CONFIDENTIAL

- For Level One: Exercise caution but do not lockdown:
  - Message over intercom: *"This is a LockBlok Check."* *"The LockBlok check is over."*
  - An update will be posted in Slack.
- For Level Two: When "This is a Lockdown" is announced **twice** over the PA system:
  1. Keep students inside and gather those from the outside into your classroom/building
  2. Lock all outside doors
  3. Close blinds/shades
  4. Turn off lights
  5. Keep Emergency Bucket with you

### Staff in Classroom Pods:

1. Quickly and safely move students into middle room.
2. Lock doors to middle room.

### Staff in Portable classrooms:

1. Instruct students to take cover under desks and stay far away from windows.

### Staff on Playground:

1. Instruct students to drop to the ground and stay still.
  2. If there is gunfire and you are exposed, run with your students in a "zig-zag" pattern away from the gunfire to the nearest covered area.
  3. If you cannot identify the source or area of the threat, remain where you are – staying close to the ground.
  4. After determining that the threat is far from your group, move students to the cafeteria, lock all doors, and close curtains in front of street entrance (Encinas).
- When students are safe inside, post in slack <https://lcedrills.slack.com> with your name and names of students who are missing from your class and/or found from other classes. Do not post your location. Do not post names of students who are absent for the day - **only** those who are missing.
  - Supplies - Emergency Buckets = toilets;  
Green Emergency Bins = food, water, comfort bags
  - Wait for the "All clear" bell and/or the "All clear" announcement to determine the end of the lockdown.
  - Administrator will check on each class when authorities have determined it safe.

### Lockdown Student Information:

- Students who are out of your classroom/building when the lockdown occurs will not be allowed to come in once the doors are locked.
- Students who are unsupervised (i.e. in the bathroom, cafeteria, etc.) should remain in that location as long as they are not exposed to the lockdown threat.
- Students who are exposed to the threat while outside of any classroom or building are instructed to run away from the threat (even to a location off campus if necessary).
- Students who are away from the source of the threat are instructed to move quickly to the nearest cover and stay there until the lockdown is cleared.

## Component 6

Policies Related to Suspension,  
Expulsion or Mandatory  
Expulsion and Other School  
Designated Serious Acts Which  
Would Lead to Suspension or  
Expulsion

**POLICIES RELATED TO  
SUSPENSION, EXPULSION OR MANDATORY EXPULSION  
AND OTHER SCHOOL DESIGNATED SERIOUS ACTS WHICH  
WOULD LEAD TO  
SUSPENSION OR EXPULSION  
(Component 6)**

Following are the La Cañada School District policies and procedures for suspension and expulsion.

Following in this component are:

- Board Policy BP 5144.1
- Administrative Regulation AR 5144.1
- Administrative Regulation AR 5144.2
- Exhibit E 5144.2
- K-6 Suspension Data

# **La Canada USD**

## **Board Policy**

### **Suspension And Expulsion/Due Process**

BP 5144.1

**Students**

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

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

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

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

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

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

#### **Appropriate Use of Suspension Authority**

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



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

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

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

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

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

#### On-Campus Suspension

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

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

#### Authority to Expel

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

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

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

2. Selling or otherwise furnishing a firearm

3. Brandishing a knife at another person

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

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

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

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

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

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

#### Due Process

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

#### Required Parental Attendance

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

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

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

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

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment  
233 Hate violence  
1981-1981.5 Enrollment of students in community school  
17292.5 Programs for expelled students  
32261 Interagency School Safety Demonstration Act of 1985  
35145 Open board meetings  
33032.5 Hate violence reduction  
35146 Closed sessions (regarding suspensions)  
35291 Rules (for government and discipline of schools)  
35291.5 Rules and procedures on school discipline  
39141.12 Program for expelled students  
48645.5 Readmission; contact with juvenile justice system  
48660-48666 Community day schools  
48853.5 Foster youth  
48900-48927 Suspension and expulsion  
48950 Speech and other communication  
48980 Parental notifications  
49073-49079 Privacy of student records  
52060-52077 Local control and accountability plan

CIVIL CODE

47 Privileged communication  
48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt  
54950-54963 Ralph M. Brown Act (~~re-closed sessions~~)

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia  
11053-11058 Standards and schedules

#### LABOR CODE

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

#### PENAL CODE

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

#### WELFARE AND INSTITUTIONS CODE

729.6 Counseling

#### UNITED STATES CODE, TITLE 18

921 Definitions, firearm

#### UNITED STATES CODE, TITLE 20

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

#### UNITED STATES CODE, TITLE 42

11432-11435 Education of homeless children and youths

#### COURT DECISIONS

T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4<sup>th</sup> 1267  
Board of Education of Sacramento City Unified School District v. Sacramento County Board of

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

#### ATTORNEY GENERAL OPINIONS

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

#### Management Resources:

#### CSBA PUBLICATIONS

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

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

#### WEB SITES

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

#### Policy LA CANADA UNIFIED SCHOOL DISTRICT

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revised: September 6, 2016 La Canada Flintridge, California

00354-00002/3305745.1

## **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(u))

### **Notice of Regulations**

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

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

### **Grounds for Suspension and Expulsion**

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

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

— (cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

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

(cf. 5131.6 - Alcohol and Other Drugs)

3. 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))

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

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

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

— 7. 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))

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

9. Unlawfully possessed offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

10. Knowingly received stolen school property or private property. (Education Code 48900(l))

11. 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))

12. 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))

13. 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))

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

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

Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognizes by an educational institutions, which is likely to cause serious

bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events. (Education Code 48900(q)).

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

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

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

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

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

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 6163.4 - Student Use of Technology)

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

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

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

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

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

Additional grounds for Suspension and Expulsion: Grades 4-12

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

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



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

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

(cf. 5145.7 - Sexual Harassment)

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

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

(cf. 5145.9 Hate-Motivated Behavior)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

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

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

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

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

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

### Suspension from Class by a Teacher

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

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

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

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

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

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

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

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

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

The Superintendent 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 #13 under "Grounds for Suspension and Expulsion" above.
5. Possession of an explosive as defined in 18 USC 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: Grades K-12" above or if the student's presence causes a danger to persons (Education Code 48900.5)

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

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

### Length of Suspension

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

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

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

### Due Process Procedures for Suspension

Suspensions shall be initiated according to the following procedures:

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

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)

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

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

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

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

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

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

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

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

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

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

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

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

#### Suspension by the Board

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

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

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

(cf. - Closed Session Purposes and Agendas)

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

#### On-Campus Suspension

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

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

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

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

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

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

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

#### Mandatory Recommendation and Mandatory Expulsion

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

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

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

## Student's Right to Expulsion Hearing

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

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

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

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

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

## Stipulated Expulsion

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

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

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

## Rights of Complaining Witness

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

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

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

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

#### Written Notice of the Expulsion Hearing

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

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

(cf. 5119 - Students Expelled from Other Districts)

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

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

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

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

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

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

#### Conduct of Expulsion Hearing

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

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

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

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

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

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

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

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

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

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

(cf. 5145.12 - Search and Seizure)

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

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

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



- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
  - d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
  - e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
  - f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
  - g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a non-threatening environment.
    - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
    - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
    - (3) The person conducting the hearing may:
      - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
      - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours
      - (c) Permit one of the support persons to accompany the complaining witness to the witness stand
6. Decision Within 40 School Days: The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

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

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

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

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the student shall be immediately reinstated and permitted to return to the classroom instructional program from which the referral was made, unless another placement is requested in writing by the student's parent/guardian. Before the student's placement decision is made by his/her parent/guardian, the Superintendent or designee shall consult with the

parent/guardian and district staff, including the student's teachers, regarding other placement options for the student in addition to the option to return to the classroom instructional program from which the student's expulsion referral was made. The decision to not recommend expulsion shall be final. (Education Code 48918(e))

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

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

#### Final Action by the Board

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

(cf. 9321.1 - Closed Session Actions and Reports)

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

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

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

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

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

#### Written Notice to Expel

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

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

#### Decision to Suspend Expulsion Order

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

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

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

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

educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of his/her status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j)).

### Appeal

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

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

### Notification to Law Enforcement Authorities

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

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

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

### Post-Expulsion Placements

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

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

(cf. - Community Day School)

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

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

### Readmission After Expulsion

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

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

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

#### Maintenance of Records

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

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

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

#### Outcome Data

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

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

Administrative LA CANADA UNIFIED SCHOOL DISTRICT

approved: September 6, 2016 La Canada Flintridge, California

## **Suspension And Expulsion/Due Process (Students With Disabilities)**

### **Suspension**

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

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

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

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

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

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

### **Behavioral Assessment and Intervention Plan**

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

**Suspension And Expulsion/Due Process (Students With Disabilities)**

Addendum To SELPA Notice Of IEP Meeting

Individuals with Exceptional Needs/Expulsion Recommended

You are hereby notified that your son/daughter, \_\_\_\_\_, has been recommended for expulsion. \_\_\_\_\_ has previously been identified as a student with exceptional needs.

\_\_\_\_\_ was suspended by the principal for \_\_\_\_\_ days, until \_\_\_\_\_.

The reasons for the proposed expulsion are \_\_\_\_\_

\_\_\_\_\_  
(Use attachments if needed.)

The principal considered other options as described below but has rejected those options.  
(Description of other options considered, if any, and reasons why they were rejected.)

The principal used the following evaluations, assessments, tests and/or records in reaching his/her decision to propose expulsion:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

Other factors relevant to the principal's recommendation are:

Please be aware that:

1. A pre-expulsion assessment of \_\_\_\_\_ will be conducted. \_\_\_\_\_ should report to \_\_\_\_\_ at (time) for this assessment. You are required by law to make \_\_\_\_\_ available for this assessment. You may obtain an independent pre-expulsion assessment if you disagree with the district's pre-expulsion assessment.

2. An IEP meeting will be held on \_\_\_\_\_, at \_\_\_\_\_. If the time and place of the IEP meeting are not convenient, please advise immediately by calling the undersigned at (phone number) within 24 hours of receiving this letter.

3. You may request that the meeting be postponed for up to three additional school days. If you make such a request, your child's suspension will be continued during the three-day postponement.

4. You may ask a representative to appear at the hearing on your behalf.
5. If you do not request a continuance immediately or appear at the IEP meeting in person or through a representative, the meeting will be held without you.
6. You have the right to participate in the IEP team meeting concerning this proposal and to appeal any IEP team decisions or recommendations with which you disagree to the California Department of Education, which will schedule a due process hearing to resolve the issues.

Such an appeal must be made in writing addressed to:

Superintendent of Public Instruction

California Department of Education

721 Capitol Mall

P.O. Box 944272

Sacramento, California 94244-2720

with a copy to the local school district Superintendent and the SELPA Director of  
\_\_\_\_\_ County.

THE WRITTEN APPEAL MUST BE DELIVERED OR POSTMARKED NO LATER THAN  
15 DAYS FOLLOWING THE DATE OF THE IEP MEETING.

7. You also have the right to appeal any decision from the California Department of Education resulting from a fair hearing on the issues with which you disagree to state or federal court. If you are represented by counsel in these proceedings and prevail, you are entitled to be reimbursed for attorney's fees.

\_\_\_\_\_  
District Administrator in Charge

of Special Education or Principal

LA CANADA UNIFIED SCHOOL DISTRICT

La Canada Flintridge, California

# SUSPENSION DATA

Grades K - 6	48900	2012	2013	2014	2015	2016	2017	2018	2019	2020
<b>Total Number of suspendable incidents for each school year.</b>		6	6	5	7	5	7	1		
Put a mark next to the Ed Code violation(s) that applies to each suspendable incident per year.										
(A-1) Caused, attempted to cause, or threatened to cause physical injury to another person.		1	///	11	///	1111	1			
(A-2) Willfully used force or violence upon the other person of another, except in self defense.				///				1		
(B) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.							1			
(C) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.										
(D) Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.										
(E) Committed or attempted to commit robbery or extortion.										
(F) Caused or attempted to cause damage to school property or private property.			1							
(G) Stolen or attempted to steal school property or private property.		11								





## SUSPENSION DATA

(0.2) Engaged in Sexual Harassment.																			
(0.3) Engaged in hate violence.																			
(0.4) Engaged in harassment, threats, or intimidation.																			
(0.7) A pupil making a terrorist threat against school officials or school property or both.																			

## Component 7

Procedures Regarding Teacher  
Notification on Dangerous  
Students Pursuant to EC 49079

**PROCEDURES REGARDING TEACHER  
NOTIFICATION OF DANGEROUS STUDENTS  
PURSUANT TO EC 49079  
(Component 7)**

The school office maintains a file on all students who have been suspended or expelled. 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

Component 8

Sexual Harassment Policy

Pursuant to EC 212.5

# **SEXUAL HARASSMENT POLICY**

## **PURSUANT TO EC 212.5**

(Component 8)

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. 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 5145.7
- 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 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

BP 4119.11 Personnel

#### Sexual Harassment

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

(cf. 4030 - Nondiscrimination in Employment)

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

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

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

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

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

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

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

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

(cf. 4031 - Complaints Concerning Discrimination in Employment)

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

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

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

(cf. 4117.4 - Dismissal)

(cf. 4118 - Suspension/Disciplinary Action)

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act

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 CAÑADA UNIFIED SCHOOL DISTRICT

adopted: January 18, 2005 La Cañada 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

## Component 9

Provisions of any School Wide  
Dress Code, Established  
Pursuant to EC 35183

**PROVISIONS OF ANY SCHOOL WIDE DRESS CODE,  
ESTABLISHED PURSUANT TO EC 35183  
(Component 9)**

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

Following in this component are:

- Education Code EC 35183
- "Dress Standard" excerpt from the "LCUSD Elementary Schools Parent and Student Handbook 2018-2019"

# 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

## GENERAL SCHOOL INFORMATION

### **Lost and Found**

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

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### **Dress Standard**

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. Crocs, flip flops, 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. Students are allowed to wear hats for sun protection only but must take them off when entering classrooms and school buildings. If a student's dress is felt to be unsafe or inappropriate for an elementary campus, the parent may be contacted and requested to bring a change of clothing.

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### **Morning Snack & Lunch:**

1. There are no "saved" places for friends or cuts in the line to buy lunch.
2. A single file cafeteria line will be enforced. Students are not to cluster around the cashier area. Students will be directed to the end of the line if the rule is not followed.
3. Politeness, respect, and turn taking will be enforced. Students not displaying these behaviors may be directed to the end of the line.
4. Healthful lunches are encouraged. Candy, soda, canned food, microwave lunches, or dried foods in containers that require water are not permitted.
5. Students will sit in assigned areas during lunch, unless the supervisor has designated the day as "free seating." Students are to remain seated in the assigned areas unless given permission to move.
6. Students are to have all needed lunch items prior to sitting down at the table and are to remain there until excused. Students who are finished eating lunch are also expected to remain seated.
7. Students are encouraged to maintain a low conversation level during lunch time.
8. Students are responsible for the cleanliness of their eating area and may not be excused to the playground until the supervisor has given permission.
9. Other snack purchases may be made only after eating lunch and must be eaten in the assigned lunch areas.
10. Students may not spend lunch money on snacks.
11. Students may not share food.



## Component 10

# Procedures for Safe Ingress and Egress To and From School

# **PROCEDURES FOR SAFE INGRESS AND EGRESS TO AND FROM SCHOOL**

(Component 10)

Parents who drive their children to and from school are directed via the following instructions of how to safely drop off and pick up their children. There are two different places for drop off and pick up, alleviating some congestion to a degree during the peak traffic hours. The City of La Cañada Flintridge built a concrete turn-out area on the street that borders the front of the school and reconfigured parking on that street to more safely accommodate cars and children.

The city provides crossing guards for the safety of our students before and after school hours. During morning drop-off, parent volunteers assist with safely moving the cars through the carline while supervising children as they exit their cars. 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. During after school dismissal, the school security aide, rotating staff, and volunteer parents supervise children until they are safely picked up.

Parents and students are apprised of safe egress and ingress procedures as printed in the "LCUSD Elementary Schools Parent and Student Handbook" and in the "Safety Above Convenience", La Canada Traffic Safety Packet.

The City of La Canada Flintridge and the PTA continue to work on improving traffic safety at our school.

Following in this component are:

- "School Safety" excerpt from the "LCUSD Elementary Schools Parent and Student Handbook 2018-2019"
- LCE Bicycle Permit
- "Safety Above Convenience", La Canada Elementary Traffic Safety Packet
- LCE Carline Safety
- LCE Traffic Flow Map

## **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, ZUCA® backpacks, and rollerblades/sneakers on school grounds is prohibited at all times.

### **Dogs/Animals**

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

### **Drug-Free/Tobacco-Free Policy**

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

The district provides K-12 sequential instructional and extra-curricular programs that help students resist the use of alcohol, tobacco, electronic smoking devices and other drugs. Recognizing that

keeping schools free of these risky behaviors is a major concern of the schools and the community. LCUSD actively supports cooperation between schools, parents/guardians, students, law enforcement and other appropriate community agencies which are involved in alcohol, tobacco and drug prevention programs.

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

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

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

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### **EMERGENCY/DISASTER PREPAREDNESS**

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

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

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

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

**We ask that you do the following:**

LA CAÑADA ELEMENTARY SCHOOL  
4540 ENCINAS DRIVE  
LA CAÑADA FLINTRIDGE, CALIFORNIA 91011

BICYCLE PERMIT

At La Cañada Elementary School, a permit issued to any student in grades four through six who wishes to ride a bike to school. By applying for the permit, the student agrees to the following:

1. The student will wear a helmet while riding a bicycle.
2. The student will walk the bicycle on school grounds at all times, that includes before, during, and after school hours, including at school events.
3. The student will park and lock the bicycle in the bicycle parking area.
4. The student has received instruction on the safety rules for riding bicycles on the street.
5. The student will obey all rules of bicycle safety.
6. The student will respect the property of others', including all public and private property.

By signing the form below, the parent and student agree to follow the terms as stated on the permit. The permit will remain in force for one school year unless the student violates the terms of the permit.

Please sign and return the form below to the school office.

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LA CAÑADA ELEMENTARY SCHOOL  
BICYCLE PERMIT

THE PARENT AND STUDENT HAVE READ THE TERMS OF THE BICYCLE PERMIT. THE STUDENT AGREES TO OBEY ALL THE RULES FOR RIDING A BICYCLE SAFELY TO AND FROM SCHOOL.

STUDENT NAME.....ROOM.....

STUDENT SIGNATURE.....DATE.....

PARENT SIGNATURE.....DATE.....

**SAFETY  
ABOVE  
CONVENIENCE**

**LA CAÑADA  
ELEMENTARY  
EST  
1892**

**La Cañada Elementary**  
**TRAFFIC SAFETY PACKET - PLEASE READ!**



# La Cañada Elementary

## Traffic and Pedestrian Safety

We need your help to keep the school and your children safe. EVERY child's safety is important to us. It remains our highest priority to ensure that students enter and exit cars in a safe and organized way. Please follow the traffic patterns and rules. They are designed to make the traffic flow better and help keep all our children safe. Failure to do so creates chaos, frustration and unsafe conditions. Each family should discuss these loading and walking procedures with each other and those who drive your child to or from school.

We encourage you to consider walking your children to school each day. The City has recently completed over one million dollars in new sidewalks, crosswalks and road improvements on La Cañada Boulevard, made possible through a State funded Safe Routes to School Grant. Not only does walking help alleviate our serious traffic problem, but it also encourages good exercise and a healthy lifestyle. Walking to school and carpools are more important than ever!

### General Precautions

- ☺ Be your child's best example. Please be courteous and follow all safety guidelines at all times.
- ☺ Avoid peak times and places. Please plan to arrive ten minutes earlier in the morning and plan an afternoon meeting spot beyond the busy school entrances.
- ☺ Our local streets are very narrow. Please drive slowly and watch for children!
- ☺ Remember that Fernside, upper Lasheart, Salisbury, Grand and Fairview are NOT to be used as routes to and from LCE. Plan your route so that you do not cross over other school traffic.
- ☺ Follow all directions from school safety personnel. They can see potential problems you can't.
- ☺ Use sidewalks and crosswalks to cross streets.
- ☺ Devote more time and be extra cautious on rainy or foggy days.

### Walking and Biking to School

- ☺ Always follow the Suggested Walking Route to School map for La Cañada Elementary School.
- ☺ Walk in a group with neighboring students whenever possible.
- ☺ Use sidewalks and walkways where possible, even if it means walking farther.
- ☺ If walking along La Canada Boulevard north of the school, use the new sidewalks on the west side.
- ☺ Cross only at corners or marked crosswalks. Look left, right, left and over your shoulder before crossing.
- ☺ Make eye contact with drivers to make sure they see you. Let oncoming traffic pass before crossing.
- ☺ Stop and look around parked cars or other objects that block your view of traffic.
- ☺ 4<sup>th</sup> and 5<sup>th</sup> graders are encouraged to bicycle to school. Follow the Suggested Route to School.
- ☺ When riding a bike, wear bright colors and a helmet.
- ☺ Walk your bike across busy intersections, and use hand signals before making a turns or stopping.

### Driving to School

If you must drive your child to school, please observe the following procedures:

- ☺ PULL FORWARD AS FAR AS POSSIBLE IN THE DROP-OFF/PICK-UP AREAS.
- ☺ No stopping or loading in travel lanes. Line up in single line only.
- ☺ Drop-off students within the Loading Zone limits only.
- ☺ Do not park or leave your vehicle within the Loading Zones.
- ☺ Keep pulling forward and fill in all gaps in the Loading Zone Lane.
- ☺ Please have your child ready BEFORE you pull up, including bookbags and lunch.
- ☺ Do not take/place items in the trunk or walk between cars while in loading zone.
- ☺ Please do not exit your car to help your kids out – if they require assistance, you should wait and pull to the very front of the car line, or park and walk them into school.
- ☺ Students should enter and exit on the passenger side of the vehicle only.
- ☺ No U-turns or cutting in line. This is dangerous and unfair to others.
- ☺ Keep all red zones, fire hydrants, crosswalks and driveways clear.
- ☺ Do not park across the street and motion for children to cross midblock.
- ☺ Do not use the Staff Parking Lot.
- ☺ Please put away your cell phones during carline drop off and pick up times.
- ☺ The speed limit is 25 mph in school zones.

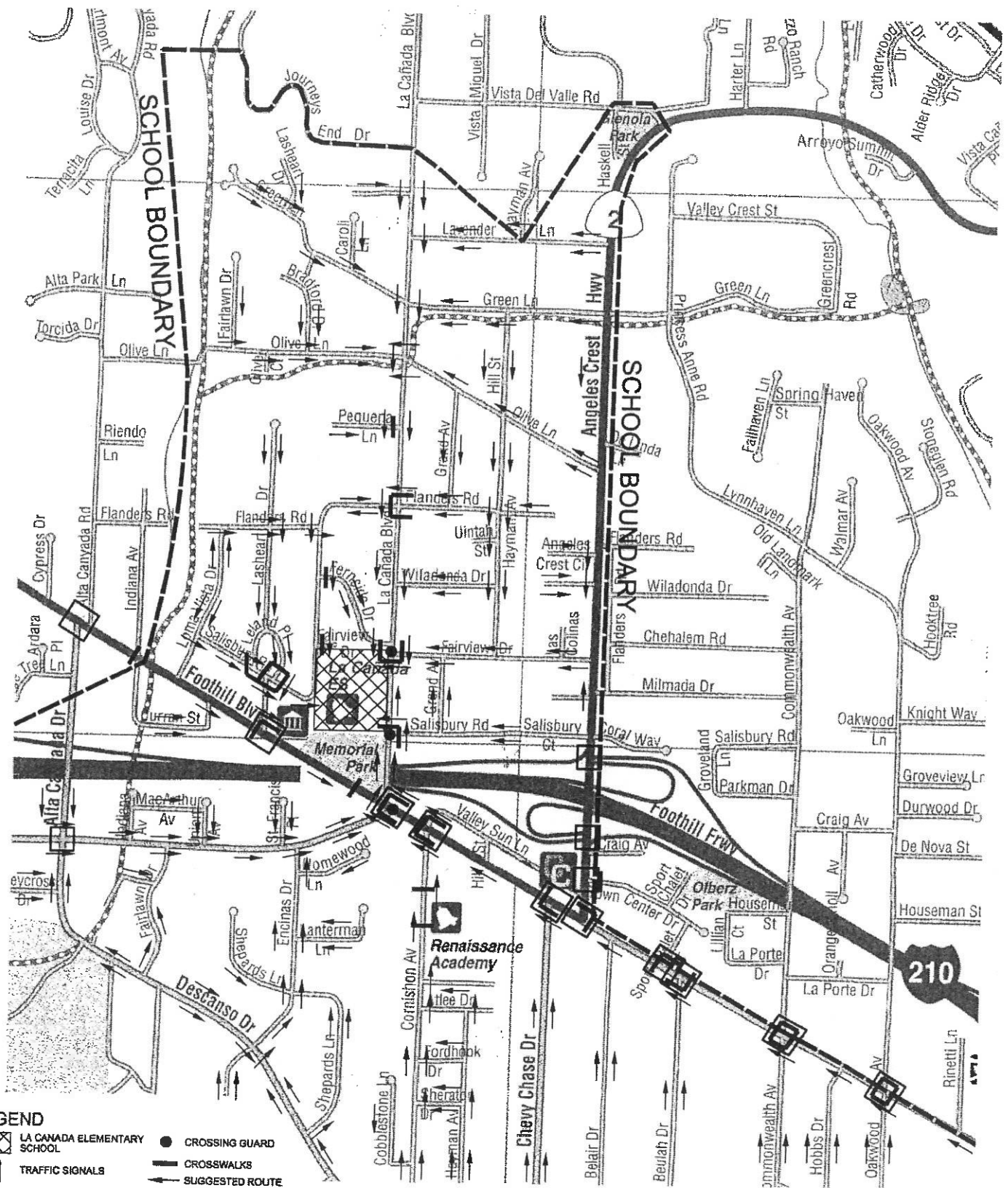
# Suggested Walking Routes to School

## La Canada Elementary School



CITY OF LA CANADA FLINTRIDGE

PUBLIC WORKS DEPARTMENT





## LCE Carline Safety (Please read and note new information)



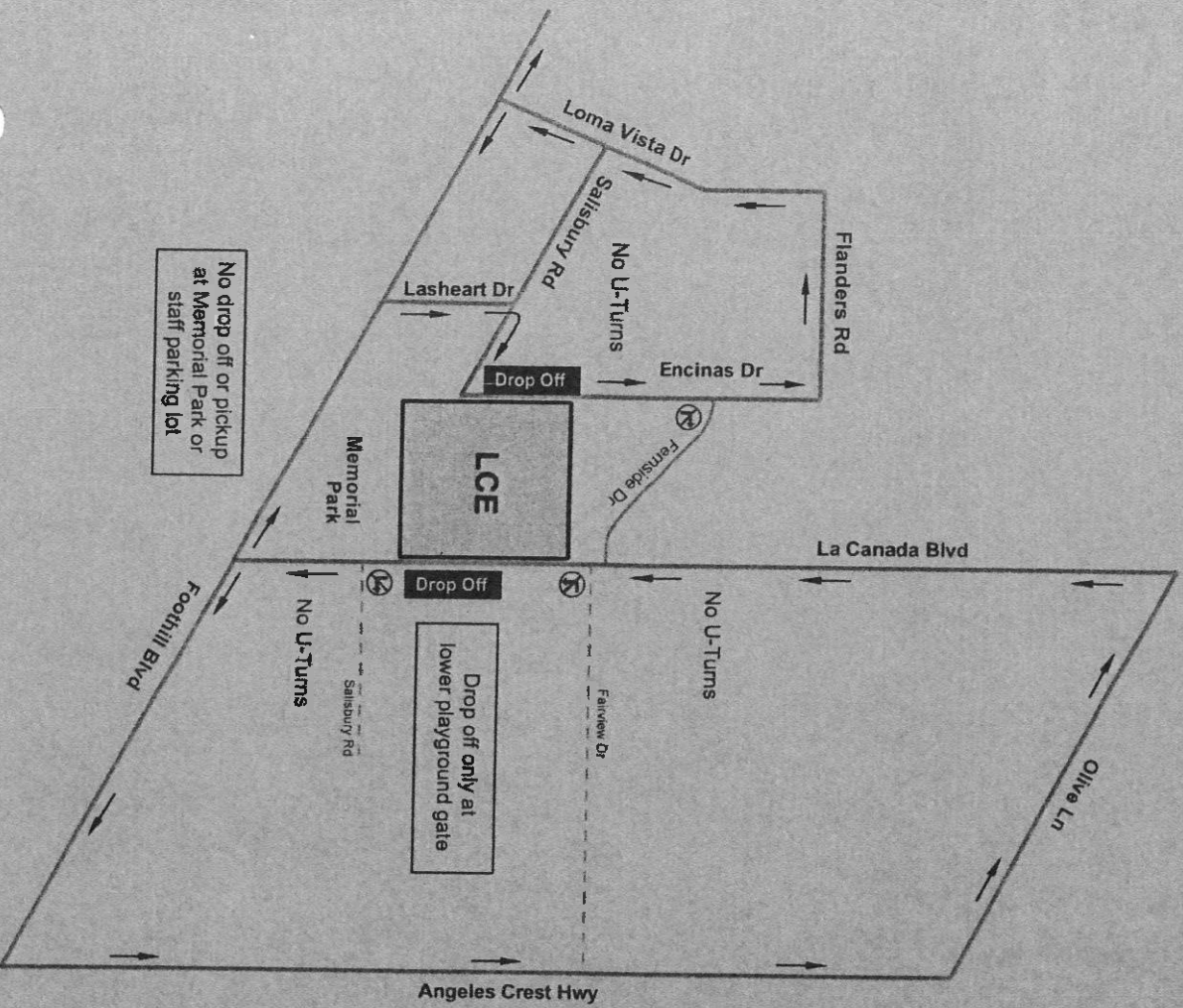
1. Please note that it is OK for cars to enter the carline on Salisbury Rd.
2. Safety is our priority. Please do NOT block the crosswalks on Salisbury and Lasheart. This is extremely hazardous and inconsiderate of the kids and parents walking. It is also a traffic violation and the sheriff has issued citations to many drivers over the past few months.
3. Please do NOT block the driveways to City Hall. DO NOT BLOCK is clearly marked in the street. Please keep that area clear at all times.
4. Please pull forward as far as possible in the pick-up/drop-off areas AND keep pulling forward to fill in the gaps.
5. Drop off and pick up students in the loading zone limits only – NOT on the corner of Encinas OR in the Teacher parking lot. We have recently had many cars, especially during early release, pulling in to the teacher parking lot to pick up kids, sometimes parking in the handicap spaces when not handicapped. This is very dangerous and quite unfair for people who legally need the handicapped space. DO NOT enter the teacher lot
6. Do not leave your car in the loading zone during any of the drop-off/pick-up times (8:10, 9:10, 11:50, 1:50, 2:50 and 4:00)
7. On early release Fridays (11:35) please be aware that it is also close to the kindergarten p.m. drop off time. Please do not come too early and take up the spaces needed for kindergarten drop off. Also, if you are dropping off at that time please allow for extra time and consider parking and walking.
8. Please have your child ready before you pull up, including backpacks and lunch. Put your car in park while your child is exiting the car. We have had situations with cars moving while parents are helping kids. This is extremely dangerous.
9. Do not place items in the trunk or walk between cars - This is very dangerous.
10. Do not exit your car to help your kids out. If they require assistance, you should wait and pull to the very front of the carline, or park and walk them in to school.
11. Students should enter and exit on the passenger side of the vehicle only.
12. Do not park across the street and motion to your child to cross.
13. No U turns or cutting in line. This is dangerous and unfair to others.
14. Please put away your cell phones during carline.
15. If you notice that it is taking longer to pick up in the afternoon (2:50) it is due to a shortage of volunteers. We NEED p.m. volunteers! Please contact us if you have 15 minutes to help out. We are happy for whatever time you can give us.

Please remember safety above convenience. The carline volunteers are fellow caring parents who want to help. For more information please contact the Carline Chair Annette Dominguez-O'Hair  
[annettedoming@yahoo.com](mailto:annettedoming@yahoo.com)

Over for map →

# La Canada Elementary Traffic Flow Map

Our local streets are very narrow. Please follow the arrows on this map.  
Drive slowly and watch for children.



**Please volunteer —** contact the school office

**PULL FORWARD AS FAR AS POSSIBLE IN THE LOADING ZONES —** fill in the gaps.

**No U-turns**

**Stay in line —** do not cut in front

**Do not place items in the trunk or walk between cars while in the loading zones.**

**Please have your child ready BEFORE you pull up.**

If they require assistance, you should wait and pull to the very front of the car line. (Instruments, extra kisses, projects, etc.)

**Component 11**  
**A Safe and Orderly  
Environment Conducive to  
Learning**

## **A SAFE AND ORDERLY ENVIRONMENT CONDUCTIVE TO LEARNING**

(Component 11)

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 assists the staff in reminding the students of safe practices during recess and while using the walkways as students come and go for lunch, before, and after school. Credentialed teachers, school aides, and parent volunteers supervise the playground during morning recess. Noon duty aides also supervise students both for lunch and on the playground for recess.

Whenever our school experiences occasional graffiti, it is painted over immediately and varying degrees of vandalism is also addressed immediately. We are a designated Tobacco Free school, and in partnership with "Success Through Awareness & Resistance" (STAR) instruction in 5<sup>th</sup> and 6<sup>th</sup> grades. The "STAR" officer as well as the school district's Resource officer helps us intervene with at-risk students and their families if law enforcement resources would be helpful (i.e., suspected child abuse, neglect, and family drug/alcohol use). 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.

Our campus is safe because we regularly review all safety procedures, including school rules, staff duties, and campus safety. Our discipline plan is one of intervention and progressive consequences for inappropriate behavior. Positive recognition for appropriate behavior and character are determined by the teachers. The "40 Developmental Assets" provides a framework by which students are identified as examples of good character. Students are taught to advocate for themselves in their right to an environment where they can learn and play without worry over safety or social problems. They are taught to attempt to solve problems themselves first, and report unsolved or "big" problems to adults who will support them. Parents are informed of problems when needed, and are given information about our school discipline procedures.

We are fortunate to have a beautiful campus with gardens, grassy areas and abundant trees. Wheelchair access is incorporated into all areas of the school in an aesthetically pleasing way. LCE is a safe, secure, and friendly place for students, staff, parents, and the community.

- "40 Developmental Assets for Children K-3 (ages 5-9)" by Search Institute
- "40 Developmental Assets for Middle Childhood (ages 8-12)" by Search Institute

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

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



### External Assets

#### Support

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

#### Empowerment

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

#### Boundaries & Expectations

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

#### Constructive Use of Time

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

### Internal Assets

#### Commitment to Learning

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

#### Positive Values

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

#### Social Competencies

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

#### Positive Identity

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

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

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



### External Assets

#### Support

1. **Family support**—Family life provides high levels of love and support.
2. **Positive family communication**—Parent(s) and child communicate positively. Child feels comfortable seeking advice and counsel from parent(s).
3. **Other adult relationships**—Child receives support from adults other than her or his parent(s).
4. **Caring neighborhood**—Child experiences caring neighbors.
5. **Caring school climate**—Relationships with teachers and peers provide a caring, encouraging environment.
6. **Parent involvement in schooling**—Parent(s) are actively involved in helping the child succeed in school.

#### Empowerment

7. **Community values youth**—Child feels valued and appreciated by adults in the community.
8. **Children as resources**—Child is included in decisions at home and in the community.
9. **Service to others**—Child has opportunities to help others in the community.
10. **Safety**—Child feels safe at home, at school, and in his or her neighborhood.

#### Boundaries & Expectations

11. **Family boundaries**—Family has clear and consistent rules and consequences and monitors the child's whereabouts.
12. **School boundaries**—School provides clear rules and consequences.
13. **Neighborhood boundaries**—Neighbors take responsibility for monitoring the child's behavior.
14. **Adult role models**—Parent(s) and other adults in the child's family, as well as nonfamily adults, model positive, responsible behavior.
15. **Positive peer influence**—Child's closest friends model positive, responsible behavior.
16. **High expectations**—Parent(s) and teachers expect the child to do her or his best at school and in other activities.

#### Constructive Use of Time

17. **Creative activities**—Child participates in music, art, drama, or creative writing two or more times per week.
18. **Child programs**—Child participates two or more times per week in cocurricular school activities or structured community programs for children.
19. **Religious community**—Child attends religious programs or services one or more times per week.
20. **Time at home**—Child spends some time most days both in high-quality interaction with parents and doing things at home other than watching TV or playing video games.

### Internal Assets

#### Commitment to Learning

21. **Achievement Motivation**—Child is motivated and strives to do well in school.
22. **Learning Engagement**—Child is responsive, attentive, and actively engaged in learning at school and enjoys participating in learning activities outside of school.
23. **Homework**—Child usually hands in homework on time.
24. **Bonding to school**—Child cares about teachers and other adults at school.
25. **Reading for Pleasure**—Child enjoys and engages in reading for fun most days of the week.

#### Positive Values

26. **Caring**—Parent(s) tell the child it is important to help other people.
27. **Equality and social justice**—Parent(s) tell the child it is important to speak up for equal rights for all people.
28. **Integrity**—Parent(s) tell the child it is important to stand up for one's beliefs.
29. **Honesty**—Parent(s) tell the child it is important to tell the truth.
30. **Responsibility**—Parent(s) tell the child it is important to accept personal responsibility for behavior.
31. **Healthy Lifestyle**—Parent(s) tell the child it is important to have good health habits and an understanding of healthy sexuality.

#### Social Competencies

32. **Planning and decision making**—Child thinks about decisions and is usually happy with results of her or his decisions.
33. **Interpersonal Competence**—Child cares about and is affected by other people's feelings, enjoys making friends, and, when frustrated or angry, tries to calm her- or himself.
34. **Cultural Competence**—Child knows and is comfortable with people of different racial, ethnic, and cultural backgrounds and with her or his own cultural identity.
35. **Resistance skills**—Child can stay away from people who are likely to get her or him in trouble and is able to say no to doing wrong or dangerous things.
36. **Peaceful conflict resolution**—Child seeks to resolve conflict nonviolently.

#### Positive Identity

37. **Personal power**—Child feels he or she has some influence over things that happen in her or his life.
38. **Self-esteem**—Child likes and is proud to be the person that he or she is.
39. **Sense of purpose**—Child sometimes thinks about what life means and whether there is a purpose for her or his life.
40. **Positive view of personal future**—Child is optimistic about her or his personal future.

## Component 12

Rules and Procedures on School  
Discipline Adopted Pursuant to  
EC 35291 and 35191.5

# **RULES AND PROCEDURES ON SCHOOL DISCIPLINE**

## **ADOPTED PURSUANT TO EC 35291 AND 35291.5**

### **(Component 12)**

All students are given access to an online copy of the "LCUSD Elementary Schools Parent and Student Handbook" the first week of school. Teachers review the rules with the students coupled with discussions in the PE classes emphasizing the necessity of the rules. Parents and students sign confirmation that they have reviewed the school rules, behavior expectations, and the Anti-Bullying Policy.

Our student code of conduct is called "LCE's 3 Bs" and students are counseled by staff members in how to make appropriate choices according to the "LCE's 3 Bs". Parents are always included in this effort with communication from the teacher as soon as a problem surfaces.

When students break a rule or are involved in a problem situation, the adult who observed the situation or who intervened fills out a "School Incident Report" and/or an "LCE Staff Report" form. These forms aide in the communication process between the playground supervisors and the classroom teachers. From there, the classroom teachers can determine how to deal with each situation on an individual student basis. When students come to the office for intervention, the students are asked to fill out a "Student Problem" form. The "Student Problem" form helps students express their side of the story before they talk to an adult and/or the situation is mediated.

Following in this component are:

- Education Code 35291
- Education Code 35291.5
- Board Policy BP 5131
- Board Policy BP 5131.2
- Board Policy BP 5144
- Administrative Regulation AR 5144
- Excerpts from the "LCUSD Elementary Schools Parent and Student Handbook 2018-2019"
  - Elementary Schools' Parent and Student Handbook Signature Form
  - Anti-Bullying Policy
  - Student Conduct & Responsibility
  - LCE Discipline Matrix
  - LCE's 3 B's
- "School Incident Report"
- "LCE Staff Report"
- "Student Problem Report" form (1-2)
- "Student Problem Report" form (3-6)
- "Behavior Reflection" form
- "LCE Office Action Report of Student Conduct"



# **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 48981

# 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 nonclassroom 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.)

## Conduct

The Governing Board believes that all students have the right to be educated in a positive learning environment free from disruptions. To maintain such an environment, students, parents/guardians, staff and the Board all must understand and fulfill their responsibilities related to student conduct. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, going to or from school, at school activities, or using district transportation.

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

Prohibited student conduct includes, but is not limited to:

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5142 - Safety)

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

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

3. Conduct that disrupts the orderly classroom or school environment;

(cf. 5131.4 - Student Disturbances)

4. Willful defiance of staff's authority;

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

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

(cf. 5131.5 - Vandalism and Graffiti)

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

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

(cf. 5145.2 - Freedom of Speech/Expression)

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

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

— (cf. 5131.63 - Steroids)

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

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

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

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

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

10. Plagiarism or dishonesty on school work or tests;

(cf. 5131.9 - Academic Honesty)

— (cf. 6162.54 - Test Integrity/Test Preparation)

(cf. 6162.6 - Use of Copyrighted Materials)

11. Inappropriate attire;

(cf. 5132 - Dress and Grooming)

12. Tardiness or unexcused absence from school;

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

13. Failure to remain on school premises in accordance with school rules.

(cf. 5112.5 - Open/Closed Campus)

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

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

(cf. 5145.12 - Search and Seizure)

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

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

(cf. 1020 - Youth Services)

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

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5127 - Graduation Ceremonies and Activities)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

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

(cf. 6020 - Parent Involvement)

(cf. 6145 - Extracurricular and Cocurricular Activities)

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

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32280-32289 Comprehensive safety plan

35181 Governing board authority to set policy on responsibilities of students

35291-35291.5 Rules

44807 Duty concerning conduct of students

48900-48925 Suspension and expulsion

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

#### CIVIL CODE

1714.1 Liability of parents and guardians for willful misconduct of minor

#### PENAL CODE

288.2 Harmful matter with intent to seduce

313 Harmful matter

417.25-417.27 Laser scope or laser pointer

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

653.2 Electronic communication devices, threats to safety

#### VEHICLE CODE

23123-23124 Prohibitions against use of electronic devices while driving

#### CODE OF REGULATIONS, TITLE 5

300-307 Duties of students

#### UNITED STATES CODE, TITLE 42

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

#### COURT DECISIONS

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

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

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

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

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

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

#### Management Resources:

#### CSBA PUBLICATIONS

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

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

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying at School, 2003

WEB SITES

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

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

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

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

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

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

Policy LA CA-ADA UNIFIED SCHOOL DISTRICT

adopted: July 10, 2012 La Cañada Flintridge, California

## **Bullying**

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

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

(cf. 5131 - Conduct)

(cf. 5136 - Gangs)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

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

(cf. 5145.2 - Freedom of Speech/Expression)

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

(cf. 0420 - School Plans/Site Councils)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 6020 - Parent Involvement)

## **Bullying Prevention**

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

(cf. 5137 - Positive School Climate)

(cf. 6164.2 - Guidance/Counseling Services)



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

(cf. 6163.4 - Student Use of Technology)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6142.94 - History-Social Science Instruction)

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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

#### Intervention

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

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

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

#### Complaints and Investigation

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with site-level procedures.

When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

#### Discipline

Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with district policies and regulations.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

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

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

Legal Reference:

#### EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 Comprehensive safety plan

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

48900-48925 Suspension or expulsion

48985 Translation of notices

#### PENAL CODE

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

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

653.2 Electronic communication devices, threats to safety

#### UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

#### COURT DECISIONS

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

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

Management Resources:

#### CSBA PUBLICATIONS

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

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

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008  
Bullying at School, 2003

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

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

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

California Cybersafety for Children: <http://www.cybersafety.ca.gov>

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

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

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

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

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

Policy LA CA-ADA UNIFIED SCHOOL DISTRICT

adopted: July 10, 2012 La Cañada Flintridge, California

# **La Canada USD**

## **Board Policy**

### **Discipline**

**BP 5144**

**Students**

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

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

The district shall adopt alternative disciplinary measures that provide students with appropriate interventions and supports as a means for preventing and addressing student misbehavior, communicating clear, appropriate and consistent expectations and consequences for student conduct; and ensuring equity and continued improvement in the implementation of district policies and practices. Positive interventions and alternative disciplinary measures shall be preferred over exclusionary discipline measures as a means for correcting student misbehavior. Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required by law or when other means of correction have been documented to have failed. (Education Code 48900.5)

Board policies and regulations shall delineate acceptable student conduct and provide the basis for sound disciplinary practices. The administrative staff at each school shall develop disciplinary rules to meet the school's particular needs consistent with law, Board policy, and district regulations. The Board, at an open meeting, shall review the approved school discipline rules as described in the comprehensive safety plan, for consistency with Board policy and state law. Pursuant to Education Code 32282 and 35291.5 any adopted site-level discipline rules must be included in the comprehensive safety plan.

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

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

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

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

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

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

(cf. 5131 - Conduct)

(cf. 5142 - Safety)

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

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

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

(cf. 6164.5 - Student Study Teams)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5145.7 - Sexual harassment)

(cf. 4131/4331 - Staff Development)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 5020 - Parent Rights and Responsibilities)

#### Legal Reference:

#### EDUCATION CODE

32280-32288 School safety plans

35146 Closed sessions

35291 Rules

35291.5 School-adopted discipline rules

35291.7 School-adopted discipline rules: additional employees

37223 Weekend classes

44807.5 Restriction from recess for disciplinary purposes

48900-48925 Suspension and expulsion

48980-48985 Notification of parents or guardians

49000-49001 Prohibition of corporal punishment  
49330-49334 Injurious objects  
52060-52077 Local control and accountability plan

#### CIVIL CODE

1714.1 Parental liability for child's misconduct

#### CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus  
353 Detention after school

#### Management Resources:

#### CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014  
Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011  
Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009

#### CDE PROGRAM ADVISORIES

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

#### STATE BOARD OF EDUCATION POLICIES

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

#### WEB SITES

CSBA: <http://www.csba.org>  
California Department of Education: <http://www.cde.ca.gov>  
Public Counsel: <http://www.fixschooldiscipline.org>  
U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

#### Policy LA CANADA UNIFIED SCHOOL DISTRICT

adopted: January 16, 1996

revised: September 6, 2016 La Canada Flintridge, California

00354-00002/3302926.1

# **La Canada USD**

## **Administrative Regulation**

### **Discipline**

AR 5144

**Students**

#### **Site-Level Rules**

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

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

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

#### **Disciplinary Strategies**

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

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

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

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

for case management and counseling

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

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

(cf. 6159 - Individualized Education Program)

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

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

(cf. 5148.2 - Before/After School Programs)

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



disqualification from participation in extracurricular activities

(cf. 6145 - Extracurricular/Curricular Activities)

15. Reassignment to an alternative educational environment

(cf. 6158 - Independent Study)

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

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

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

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

(cf. 5125 - Student Records)

#### Recess Restriction

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

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

(cf. 5030 - Student Wellness)

(cf. 6142.7 - Physical Education and Activity)

#### Detention After School

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

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

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

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

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

(cf. 6176 - Weekend/Saturday Classes)

#### Community Service

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

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

#### Notice to Parents/Guardians and Students

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

(cf. 5145.6 - Parental Notifications)

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

AdministrativeLA CANADA UNIFIED SCHOOL DISTRICT

approval: May 13, 2003

revised: September 6, 2016 La Canada Flintridge, California

00354-00002/3302902.1



**ELEMENTARY SCHOOLS' PARENT AND STUDENT HANDBOOK SIGNATURE**  
**FORM**

**Name of Student:** \_\_\_\_\_

**Teacher:** \_\_\_\_\_ **Grade:** \_\_\_\_\_

**Please read the Handbook and complete the following:**

I have read and reviewed the ELEMENTARY SCHOOLS' PARENT AND STUDENT HANDBOOK. I have reviewed school rules, behavior expectations, and the Anti-Bullying Policy with my child.

**Parent Signature:** \_\_\_\_\_

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

**Student Signature:** \_\_\_\_\_

## ANTI-BULLYING POLICY

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

Our elementary schools will not tolerate behavior that infringes on the safety of any student. A student shall not intimidate or harass another student through words or actions.

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

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

Knowing the Difference Between Normal Peer Conflict and Bullying*	
Normal Peer Conflict	Bullying/Harassment
Peers have equal power or are friends with each other.	Imbalance of power between peers; not friends.
Conflict happens occasionally or rarely.	Repeated negative actions that happens often.
May be accidental.	Purposefully done.
May not be serious; no threat of harm.	Serious with threat of physical or emotional harm.
Equal emotional reaction from both peers.	Strong emotional reaction from victim and little or no emotional reaction from bully.
Not seeking power or attention and not trying to gain something.	Seeking power, control or material things.
General remorse - will want to take responsibility.	No remorse - bully blames victim; no guilt from bully.
Effort on both sides to solve the problem.	No effort to solve the problem.
*Adapted from <i>Bully-Proofing Your School</i> , 2004	

Our elementary schools expect students to immediately report incidents of bullying to school staff. Staff is expected to immediately take action when they see or hear of a bullying incident. Each

complaint of bullying will be promptly investigated. This policy applies to students on school grounds, while traveling to and from school, during the lunch period, 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:

1. Staff is expected to take immediate action when they see a bullying incident or when an incident is reported.
2. The school will consistently follow established progressive discipline procedures in dealing with students who violate school rules and/or the school's Anti-Bullying Policy.
3. People witnessing or experiencing bullying are encouraged to report the incident; such reporting will not reflect on the victim or witnesses in any way. In addition, students who retaliate against witnesses or those reporting bullying behaviors are subject to disciplinary action.
4. The school will make reasonable efforts to keep a report of bullying and the results of an investigation confidential.

### **STUDENT CONDUCT AND RESPONSIBILITY**

School is often the first place children begin to develop an understanding of their own needs and wants, as well as the needs and wants of others. It is a place children begin to "negotiate" turn taking, confront issues of fairness, and resolve differences. La Cañada schools are committed to providing a safe, academically challenging, and socially instructive supportive environment in which children can learn and grow. Our schools use the principles of the 40 Developmental Assets and Kelso's Choices, where students are taught how to make good choices and to resolve differences peacefully. By establishing a clear set of school policies and rules for both the classroom and the playground, and actively recruiting parent support, we believe we can teach our children to be responsible young people.

#### **Rules for Responsible Behavior**

At LCUSD elementary schools, we believe that a positive environment, where responsible behavior is recognized and rewarded, fosters individual growth, lasting friendships, and pride in the community. We want all students to be proud of their own sense of responsibility. Students can be empowered to make good choices for themselves and others by learning to use the following basic interventions when confronted by unacceptable behaviors in others.

**Say “Stop”** Students can be advocates for themselves by letting others know that the behavior is hurtful or threatening.

**Walk Away** Students can avoid hurtful or threatening situations by walking away. We want students to learn that they can choose to be safe and socially responsible at school.

**Talk to an adult** We encourage students to go to a supervisor on duty, a teacher, a staff member, or an administrator when they need help.

### **When Students Struggle With Rules**

Our role at school is to model, help shape, and work supportively with students to develop responsible behaviors. We view inappropriate student behaviors as opportunities to positively intervene, to provide coaching, and to prompt problem-solving skills among our students. Children grow when they have knowledge and feedback about their actions, understand the reasons for rules, and are given opportunities to practice appropriate behavior.

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

1. As problems emerge, the teacher will meet and counsel with the student. Teachers are encouraged to brainstorm and informally seek the advice of other staff members. Strategies used in the classroom may include positive praise, individual and group incentives such as points, earning privileges or recognition, “time-out” or quiet areas in the classroom, loss of privileges or play periods, detention, and/or individual student contracts.

Emphasis is placed on replacing inappropriate behavior with an alternate appropriate choice. Frequently, simply telling a student what *not to do* is not enough. A student also needs to know *what to do* instead of the inappropriate behavior.

2. If a pattern of problems continues, the teacher will share his/her observations and concerns with the parent and encourage a home-school solution.
3. If the behavior(s) continues, or if the problem is felt to jeopardize the personal welfare of other students or staff members, the administrator(s) will intervene.
4. If problems do not improve, the administrator(s), parent, teacher, and in some cases, the school psychologist/counselor will assist in determining ways of altering the unwanted

behavior. These may include a home-school contract, detention, exclusion from specific activities or from a particular peer group, or other techniques that may be helpful.

Occasionally, if a student's behavior is felt to regularly interfere with his/her classroom performance, the teacher may make a referral to the Student Study Team (SST). The SST is an informal body of colleagues, which may include the administrator(s), the school counselor, and/or the school psychologist, whose purpose is to generate formal or informal academic or behavioral interventions for the teacher to implement. The parent will be notified if an SST is recommended.

**Examples of inappropriate behaviors that are investigated and confirmed that will likely result in SUSPENSION include, but are not limited to the following:**

1. Fighting/instigating fighting
2. Physical violence that is intentional and harms others
3. Threats of violence
4. Bringing weapons (guns/knives or any object intended to harm another person)

In these cases, parents will be notified by the administration in a timely manner. A meeting will be required and the incident will be documented to ensure all parties are involved and a plan is established for improved student behavior.

### **General School Conduct**

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

1. Students must walk in the hallways and sidewalks.
2. Games of tag or chase are not allowed anywhere on the campus (unless it is a supervised activity) or school sidewalk areas.
3. Students are not permitted to bring or wear shoes with wheels.
4. Planted areas may not be used for shortcuts.
5. Students must refrain from making excessive loud noises that may disrupt other classrooms while walking to and from various areas on the campus.
6. Restrooms 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 own trash.
8. Gum is not permitted.
9. Personal student items of play (game equipment, trading cards, toys, etc.) may not be brought to school, unless specific permission is given by the teacher and Administrator.
10. Climbing trees or other school facilities is not allowed.
11. No items are to be thrown (rocks, sand, sticks, pine cones, paper wads, etc.).
13. Students may not use profanity. Students may not tease, malign or threaten.
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 Administrator and counsel with the parent prior to a scheduled field trip

#### **Rules for Before School**

1. Students must not be on campus before **7:55 a.m.** There is limited supervision at this time; therefore, students must remain in the line area and playground equipment is off limits. Parents are responsible for providing care prior to the arrival times.
2. Students in grades 4, 5, and 6 may ride their bicycles to school. All riders must wear a helmet and have a bicycle permit on file in the office. Bicycles must be walked on campus and locked securely in the bike rack.
3. Skateboards, rollerblades, and scooters are not allowed on campus at any time.
4. Students who arrive after the start times must check in at the office before going to class.
5. Students are responsible to arrive prepared for class work, bringing the necessary materials and completed homework.

#### **Rules for After School**

1. Unless a student is involved in a school-sponsored activity after school, students must leave campus. There is no staff supervision on campus.
2. Games of tag or chase are not allowed. Wait quietly to be picked up. Chromebooks and cell phones may not be used while waiting in the carline. If a student needs to call their parent, they must first obtain permission from a staff member.
3. Students should not jaywalk across streets or driveways to enter vehicles.
4. Students should not ever be in the staff parking lot.
5. The school has authority over students' behavior while the students are on the way to school or are on the way home. If poor behavior occurs during this time, students are subject to school consequences.



## Playground Rules

1. Never leave the playground without a hall pass or getting permission from the yard supervisor. This includes coming to the office, using the bathrooms or the drinking fountains that are not on the playground. You must have a hall pass for the health office. With permission, you may go to the health office with only one partner (not a group).
2. Students must walk "to" and "from" the playground.
3. Only school game rules can be used. Do not change the rules.
4. There are no "lock-outs." Any student wanting to play a game (unless there are rule restrictions) can play. Play fairly and allow for others to rotate into the game.
5. Take turns. No one can "hold" a place for a friend. There are no "cuts."
6. Playground equipment is to be used for the game it was intended. Do not kick handballs or basketballs. Put equipment away at the end of recess.
7. Chasing games and contact sports, such as tag and football, are not allowed.
8. Students are not allowed to dig or throw dirt, sand, rocks, or other unsafe objects at any time.
9. Inform an adult if a ball has gone over a fence.
10. Listen for the bell or whistle\* and follow these directions:
  - a. Get down from play equipment safely
  - b. Stop swings and dismount safely (no jumping)
  - c. Collect playground balls, other equipment and return to equipment containers
  - d. Stop talking and listen quietly for the release bell or whistle
  - e. Walk to designated line-up area or classrooms as directed
11. Try to solve a problem using rules for responsible behavior. Solve game disputes by talking about the problem using appropriate words and a calm voice. Use only the school rules of play. You may also play a game of "Rock, Paper, Scissors" to solve the problem. Seek the help of a yard supervisor if needed.

***\*At anytime a whistle is blown on campus, students are to stop their activity and wait for adult direction.***

## Playground Supervision

1. Playground supervisors are encouraged to observe students for good sportsmanship, helpful actions and good problem-solving skills.
2. Non-ball arguments brought to an adult supervisor: Students will be given a choice to sit together and come to a mutual solution, or may be asked to write out their dispute on a reflection form for further action.
3. Ball arguments: The ball will be held by the supervisor until the individuals can agree on

a solution to play cooperatively. Student(s) may be redirected to another activity. Student(s) may be asked to describe the situation on a reflection form for further action.

4. Conflicts in which students cannot come to a solution or when a student has a pattern of repeatedly breaking school rules:

First Offense: Student(s) may be “benched” to sit and think about the situation, write about the situation, and/or find alternative solutions for the situation.

Second Offense: Student(s) will be “benched,” and asked to complete a reflection form to describe the situation. Student(s) may be redirected to another activity. The teacher, the school counselor, or the administrator will be notified to discuss the behavior with the student(s).

Third Offense: Student(s) will be asked to complete a reflection form to describe the situation. Student(s) will be sent to the office for further action.

5. Students who are physically hurtful or engaging in bullying behaviors will be referred directly to the principal.

### La Cañada Elementary School Discipline Matrix

<p><b>It is the responsibility of every LCE student to know and follow school expectations. By doing so, you will be a productive and successful member of the learning community. Students who make poor choices will be held accountable for their actions.</b></p>				
<p>This matrix lists the most common violations, but other forms of behavior may also result in discipline. California State Law provides that a student may be disciplined, suspended and/or recommended for expulsion based on committing the acts below (among others). Discipline may result from actions related to a school activity or school attendance, including those that occur while on school grounds, while going to or coming from school, and during any school-sponsored activity. Behaviors reported to the principal will be handled on a case by case basis and will take into account the individual student's age, development, and length of time at the school.</p>				
<p><b>Students confronted with any negative situation are expected to be safe, be responsible, and be respectful by:</b></p> <ol style="list-style-type: none"> <li>1) Walking away</li> <li>2) Immediately reporting the incident to a staff member</li> <li>3) Not engaging in unsafe activities.</li> </ol>				
Behavior	School Rule Based Upon	1st Offense	2nd Offense	Severe or

Expectation	CALIFORNIA EDUCATION CODE			Repeated Violations
<b>PHYSICAL CONTACT</b>				
Be Safe	Students are not allowed to cause, attempt to cause, or threaten to cause physical injuries to others or self. This includes but is not limited to: hitting, pushing, kicking, hair pulling, biting, touching, scratching, poking, and play fighting.	Review and reteach expectations. Possible loss of privileges. Document. Contact parent if necessary.	Review and reteach expectations. Loss of privileges. Document. Contact parent.	Review and reteach expectations. Referral to administration. Document in database. Contact parent. Possible SST Referral and BIP. Possible suspension.
<b>DANGEROUS ACTIVITIES</b>				
Be Safe	Students are not allowed to engage in dangerous activities including but not limited to: pushing, running in halls/unauthorized areas, chasing, jumping from equipment, and swinging objects.	Review and reteach expectations. Document. Contact parent if necessary.	Review and reteach expectations. Loss of privileges. Document. Contact parent.	Review and reteach expectations. Referral to administration. Document in database. Contact parent.
<b>INAPPROPRIATE LANGUAGE</b>				
Be Respectful	Students are not allowed to call each other names, tease, or use hurtful and/or unkind language. This includes profanity towards other students.	Review and reteach expectations. Document. Contact parent if necessary.	Review and reteach expectations. Loss of privileges. Document. Contact parent.	Review and reteach expectations. Referral to administration. Document in database. Contact parent.
<b>INAPPROPRIATE LANGUAGE TOWARDS A STAFF MEMBER</b>				
Be Respectful	Students are not allowed to use hurtful and/or unkind language or profanity towards or in reference to staff members (teachers, administrators, aides, cafeteria aides, volunteers, substitutes, etc.).	Review and reteach expectations. Referral to administration. Document.	Referral to administration. Possible suspension. Document in database.	Referral to administration. Possible suspension. SST referral and develop a

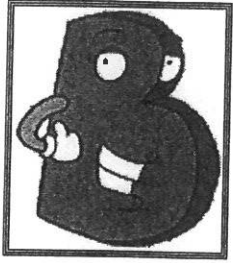
		Contact parent if necessary.	Contact parent.	BIP. Document in database. Contact parent.
<b>DEFIANCE</b>				
Be Respectful	Students must follow teachers' instruction, report to the designated area, accept consequences, maintain positive attitude (appropriate tone of voice), accept "no" for an answer, and disagree appropriately.	Review and reteach expectations. Document. Contact parent if necessary.	Review and reteach expectations. Loss of privileges. Document. Contact parent.	Review and reteach expectations. Referral to administration. Possible suspension. Document in database. Contact parent.
<b>SCHOOL OR PERSONAL PROPERTY</b>				
Be Respectful	Students must always treat school and private property respectfully. Examples include but are not limited to: appropriate use of computers/keyboards/technology, classroom supplies, restrooms, books, and furniture.	Review and reteach expectations. Document. Implement restorative justice project. Contact parent if necessary.	Review and reteach expectations. Implement restorative justice project. Loss of privileges. Document. Contact parent.	Review and reteach expectations. Referral to administration. Restorative justice, loss of privileges, and/or possible suspension. Document in database. Contact parent.
<b>THEFT/STEALING</b>				
Be Responsible	Students may not steal or attempt to steal school or private property. Students may not knowingly accept stolen property.	Review and reteach expectations. Implement restorative justice project. Document. Contact parent if necessary.	Review and reteach expectations. Implement restorative justice project. Loss of privileges. Document.	Review and reteach expectations. Referral to administration. Restorative justice, loss of privileges, and/or

			Contact parent.	possible suspension. Possible SST referral. Contact parent.
<b>BULLYING</b>				
Be Respectful	<p>The definition of bullying <i>EC 48900 (r)</i> involves any <b>severe or pervasive</b> physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and <b>including one or more acts committed by a pupil or group of pupils</b> as defined in Section 48900.2, 48900.3, or 48900.4, <b>directed toward one or more pupils</b> that has or can be reasonably predicted to have the effect of one or more of the following:</p> <ol style="list-style-type: none"> <li>1. Placing a reasonable pupil, or pupils, in fear of harm to that pupil's or those pupils' person or property</li> <li>2. Causing a reasonable pupil to experience a detrimental effect on his or her physical or mental health</li> <li>3. Causing a reasonable pupil to experience substantial interference with his or her academic performance</li> <li>4. Causing a reasonable pupil to experience substantial interference with his or her ability to participate or benefit from the services, activities, or privileges provided by a school</li> </ol>	<p>Review and reteach expectations. Referral to administration. Possible referral to counselor. Document in database. Contact parent.</p>	<p>Referral to administration. Referral to counselor. Loss of privileges and/or possible one to three-day suspension. Document in database. Contact parent.</p>	<p>Referral to administration. Possible one to five-day suspension. SST referral and develop a BIP. Contact parent.</p>
<b>ACADEMIC DISHONESTY</b>				
Be Responsible	<p>Academic dishonesty includes but is not limited to: cheating, copying from other sources (any Internet site), homework, turning in work done by parents, projects, tests, notes, using notes without permission, forging,</p>	<p>Review and reteach expectations. Credit loss for assignment/ test/ project.</p>	<p>Review and reteach expectations. Credit loss for assignment/ test/ project.</p>	<p>Review and reteach expectations. Loss of privileges. Referral to</p>

	altering or duplicating school or teacher documents or signatures, plagiarism and text messaging regarding test data or information	Document. Contact parent.	Loss of privileges. Possible parent/teacher conference. Document. Contact parent.	administration. Document in database. Possible SST referral. Contact parent.
<b>ELECTRONIC DEVICES</b>				
Be Responsible	Under direct supervision, students may bring personal electronic devices for instructional purposes. When electronic devices are found to be disruptive to the learning environment, they may be confiscated. <u>School not responsible for loss/ theft/ damage of personal electronic devices.</u>	Review and reteach expectations. Document. Contact parent if necessary.	Review and reteach expectations. Device confiscated to be picked up by student at the end of the day. Document. Contact parent.	Review and reteach expectations. Device confiscated to be picked up by parent at the end of the day. Document. Loss of device privileges (time to be determined). Contact parent.
<b>INTERNET SAFETY</b>				
Be Responsible; Be Safe	All students will adhere to the LCUSD Acceptable Use Policy.	Review and reteach expectations. Restorative justice implemented. Document. Contact parent if necessary.	Review and reteach expectations. Loss of privileges. Restorative justice implemented. Document. Contact parent.	Review and reteach expectations. Loss of privileges. Restorative justice implemented. Referral to administration. Document in database. Contact parent.

**Definitions: SST - Student Study Team/Student Success Team, BIP: Behavior Intervention Plan**

# LCE's 3 B's



## Safe

- In the classroom and on the playground
- Show kindness in what you say and do
- Play by the rules
- Report problems to an adult



## Respectful

- Treat others as you want to be treated
- Include others
- Listen politely while others are talking
- Solve problems with others peacefully



## Responsible

- Come to school prepared and on time
- Follow directions
- Tell the truth
- Apologize when you make a mistake

### School Incident Report

Student \_\_\_\_\_

Teacher \_\_\_\_\_

Room \_\_\_\_\_

Date \_\_\_\_\_

Incident \_\_\_\_\_

#### Action Taken:

- ☐ Ask for student explanation
- ☐ Remind student of safety concerns
- ☐ Refer to Teacher
- ☐ Refer to Office
- ☐ Warning
- ☐ Redirected to \_\_\_\_\_
- ☐ Time out for \_\_\_\_\_ minutes

Campus Supervisor: \_\_\_\_\_

### School Incident Report

Student \_\_\_\_\_

Teacher \_\_\_\_\_

Room \_\_\_\_\_

Date \_\_\_\_\_

Incident \_\_\_\_\_

#### Action Taken:

- ☐ Ask for student explanation
- ☐ Remind student of safety concerns
- ☐ Refer to Teacher
- ☐ Refer to Office
- ☐ Warning
- ☐ Redirected to \_\_\_\_\_
- ☐ Time out for \_\_\_\_\_ minutes

Campus Supervisor: \_\_\_\_\_

### School Incident Report

Student \_\_\_\_\_

Teacher \_\_\_\_\_

Room \_\_\_\_\_

Date \_\_\_\_\_

Incident \_\_\_\_\_

#### Action Taken:

- ☐ Ask for student explanation
- ☐ Remind student of safety concerns
- ☐ Refer to Teacher
- ☐ Refer to Office
- ☐ Warning
- ☐ Redirected to \_\_\_\_\_
- ☐ Time out for \_\_\_\_\_ minutes

Campus Supervisor: \_\_\_\_\_

### School Incident Report

Student \_\_\_\_\_

Teacher \_\_\_\_\_

Room \_\_\_\_\_

Date \_\_\_\_\_

Incident \_\_\_\_\_

#### Action Taken:

- ☐ Ask for student explanation
- ☐ Remind student of safety concerns
- ☐ Refer to Teacher
- ☐ Refer to Office
- ☐ Warning
- ☐ Redirected to \_\_\_\_\_
- ☐ Time out for \_\_\_\_\_ minutes

Campus Supervisor: \_\_\_\_\_



# LCE Staff Report

Student Name \_\_\_\_\_

Grade \_\_\_\_\_ Date \_\_\_\_\_

**Playground Supervisor:** \_\_\_\_\_  
(Name)

*Situation:* \_\_\_\_\_

\_\_\_\_\_

*Action Taken:*

\_\_\_\_\_

**Classroom Teacher:** \_\_\_\_\_  
(Name)

*Situation:* \_\_\_\_\_

\_\_\_\_\_

*Action Taken:*

\_\_\_\_\_

**Counselor:**

*Situation:* \_\_\_\_\_

\_\_\_\_\_

*Action Taken:*

# Student Problem Report – Grades 1-2

Name \_\_\_\_\_ Date \_\_\_\_\_ Teacher \_\_\_\_\_



1. Did others dip into your bucket with their

**Words** YES ☐ NO ☐

**Body** YES ☐ NO ☐

2. Did you dip into someone's bucket with your

**Words** YES ☐ NO ☐

**Body** YES ☐ NO ☐

3. Did you use Kelso's Choices to solve the problem when it was small? YES ☐ NO ☐

4. Did you ask an adult for help before the problem became big? YES ☐ NO ☐

## Write Your Answers Below

5. What is the problem? \_\_\_\_\_

6. What did others do? \_\_\_\_\_

7. What did you choose to do? \_\_\_\_\_

8. Why did you choose to do that? \_\_\_\_\_

Office Follow-Up \_\_\_\_\_

# Student Problem Report - Grades 3-6

First/Last Name \_\_\_\_\_ Date \_\_\_\_\_ Teacher \_\_\_\_\_

1. What was the problem? \_\_\_\_\_

2. What did the other person do or say to make the problem?

3. What are you responsible for doing or saying to make the problem?

4. Why did you do or say that?

5. What could you have done instead?

Office follow-up: \_\_\_\_\_

## Behavior Reflection

Name

Date \_\_\_\_\_

## STEP 2:

## Reasons for

## My Behavior

**Directions:** Please begin at Step 1 and finish with Step 4

## STEP 3:

## Because of My Behavior, This is What Happened

You are responsible for your own "Behavior". Your "Behavior" is what you said and what you did that contributed to this situation.

## STEP 1:

## My Behavior

1

2.

3.

**STEP 4: My Plan For Improving My Behavior**

1)

2)

ω

**LA CAÑADA ELEMENTARY SCHOOL**  
**Office Action Report of Student Conduct**

STUDENT: \_\_\_\_\_  
Grade: \_\_\_\_\_ Teacher: \_\_\_\_\_

INCIDENT DESCRIPTION: \_\_\_\_\_ Date: \_\_\_\_\_  
Location/Time: \_\_\_\_\_

☐ Removal from Area  
Details: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**RULE VIOLATION:**

LCE "3 B's":

- ☐ "B" Safe (physically and verbally)
- ☐ "B" Respectful (to students, staff, and school)
- ☐ "B" Responsible (for self and belongings)

Other: \_\_\_\_\_

Cc: Office (White) Parent (Yellow) Teacher (Pink)

**INTERVENTIONS:**

- ☐ Cool Down
- ☐ Review of LCE "3 B's"
- ☐ Formal Warning \_\_\_\_\_
- ☐ Behavior Reflection
- ☐ Conflict Mediation
- ☐ Other \_\_\_\_\_

Counselor Support: Date \_\_\_\_\_

- ☐ Counselor/Student Debrief
- ☐ Student Plan: \_\_\_\_\_  
\_\_\_\_\_

Principal Support: Date \_\_\_\_\_

- ☐ Principal/Student Debrief
- ☐ Student Plan: \_\_\_\_\_  
\_\_\_\_\_

**CONSEQUENCES FOR BEHAVIOR:**

- ☐ Verbal / Letter of Apology
- ☐ Parent Contact: Date \_\_\_\_\_ Initial \_\_\_\_\_
- ☐ Loss of Recess: AM / Lunch \_\_\_\_\_
- ☐ Office Detention \_\_\_\_\_

SUSPENSION Date(s) \_\_\_\_\_

- ☐ In-House
- ☐ Out of School
- ☐ Parent Contact and Letter

## Component 13

Hate Crime Reporting  
Procedures Pursuant to  
Chapter 1.2 of Title 15  
of the Penal Code

**HATE CRIME REPORTING PROCEDURES PURSUANT TO  
CHAPTER 1.2 OF TITLE 15 OF THE PENAL CODE  
(Component 13)**

Definition of hate crime procedure:

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.

In accordance with Board Policy, there are no hate-related crimes to report for the 2017-2018 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. 3515.4 - Recovery for Property Loss or Damage)

(cf. 5131.5 - Vandalism, Theft and Graffiti)

(cf. 5136 - Gangs)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 6141.6 - Multicultural Education)

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

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

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

(cf. 3515.3 - District Police/Security Department)

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

(cf. 5144 - Discipline)

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

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

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

(cf. 6164.2 - Guidance/Counseling Services)



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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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

Legal Reference:

#### EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 School safety plans

48900.3 Suspension for hate violence

48900.4 Suspension or expulsion for threats or harassment

#### PENAL CODE

422.55 Definition of hate crime

422.6 Crimes, harassment

#### CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform Complaint Procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

Management Resources:

#### CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

California Student Safety and Violence Prevention - Laws and Regulations, April 2004

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

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

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Preventing Youth Hate Crimes: A Guide for Schools and Communities, 1997

#### WEB SITES

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

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

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

National Youth Violence Prevention Resource Center: <http://www.safeyouth.org>

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

U.S. Department of Justice, Community Relations Service: <http://www.usdoj.gov/crs>

Policy LA CANADA UNIFIED SCHOOL DISTRICT

adopted: April 9, 2012 La Canada Flintridge, California