

# Comprehensive School Safety Plan SB 187 Compliance Document

## 2021-2022 School Year

**School:** Bass Lake School District  
**CDS Code:** 20651850000000  
**District:** Bass Lake Joint Union Elementary School District  
**Address:** 40096 Indian Springs Road  
Oakhurst, CA 93644  
**Date of Adoption:** TBD

**Approved by:**

| Name          | Title          | Signature  | Date     |
|---------------|----------------|--|----------|
| Randall Seals | Superintendent |  | 2-9-2022 |

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## **Senate Bill 187: Comprehensive School Safety Plan Purpose**

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

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

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

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

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

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

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

<https://www.basslakeschooldistrict.com>

A copy of the Comprehensive School Safety Plan is available for review at .

### **Safety Plan Vision**

The Bass Lake Joint Union Elementary School District is committed to ensuring that each and every student enrolled in this district and all employees attend safe and secure campuses. The District believes that the development of a comprehensive school safety plan is an effective strategy toward achieving safe school campuses district-wide. The District intends that parents, students, teachers, administrators, counselors, classified personnel, and community agencies develop safety plans, including local law enforcement and other emergency first-responder groups. The District Safety Committee will review this safe schools plan annually and proposed amendments will be submitted to the Board for approval.

## Components of the Comprehensive School Safety Plan (EC 32281)

### Bass Lake School District Safety Committee

Randy Seals, Superintendent  
Tara Campanella, Director of Business Operations  
Nicole Meeker, District Accounts Payable Clerk  
Heather Archer, Principal, Wasuma Elementary School  
Kathleen Murphy, Principal, Oakhurst Elementary School  
Brad Barcus, Principal, Oak Creek Intermediate School  
Robert Dias, MOT Director  
Steffan John, Chief Technology Officer  
Mark Fleming, Site MOT Lead, Wasuma Elementary School  
Shannon Ecklund, Teacher/BLTA President, Fresno Flats Community Day School  
Taryn Tompkins, Teacher, Wasuma Elementary School  
Bridget Barnett, Office Secretary, Wasuma Elementary School  
Cat Williams, Teacher, Oakhurst Elementary School  
Sharla Gauthier-Kelly, Parent, Wasuma Elementary School  
Leah Lehman, Parent, Wasuma Elementary School  
Robert Guerrero, Parent, Oakhurst Elementary School  
Curt Pollock, Area 1 Board Trustee

### Assessment of School Safety

#### Out of School Suspensions:

2020-21: 4  
2019-20: 25  
2018-19: 46  
2017-18: 49  
2016-17: 28  
2015-16: 39

#### Expulsions:

2020-21: 0  
2019-20: 0  
2018-19: 0  
2017-18: 0  
2016-17: 0  
2015-16: 0

#### Bullying/Harassment or Intimidation:

2020-21: 0  
2019-20: 5  
2018-19: 4  
2017-18: 7  
2016-17: 2  
2015-16: 4

#### Caused, Attempted, or Threatened Physical Injury:

2020-21: 0  
2019-20: 9  
2018-19: 14  
2017-18: 20

2016-17: 5  
2015-16: 15

Possession for Use, Sale, or Furnishing a Controlled Substance or Alcohol Intoxicant:

2020-21: 0  
2019-20: 1  
2018-19: 2  
2017-18: 0  
2016-17: 1  
2015-16: 1

Sexual Harassment:

2020-21: 0  
2019-20: 0  
2018-19: 0  
2017-18: 4  
2016-17: 1  
2015-16: 0

Use of Tobacco Products:

2020-21: 0  
2019-20: 3  
2018-19: 9  
2017-18: 0  
2016-17: 0  
2015-16: 0

**Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)**

**Sexual Harassment:**

2018-19: 0  
2017-18: 4  
2016-17: 1  
2015-16: 0

**Use of Tobacco Products:**

2018-19: 9  
2017-18: 0  
2016-17: 0  
2015-16: 0

**Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)**

**(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)**

BOARD POLICY 5141.4

**Child Abuse Prevention**

The Board of Trustees recognizes the district's responsibility to educate students about the dangers of child abuse so that they will acquire the skills and techniques needed to identify unsafe situations and to react appropriately and promptly.

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

(cf. 1020 - Youth Services)

**Child Abuse Reporting**

The Board recognizes that child abuse has severe consequences and that the district has a responsibility to protect students by facilitating the prompt reporting of known and suspected incidents of child abuse. The Superintendent or designee shall establish procedures for the identification and reporting of such incidents in accordance with law.

(cf. 0450 - Comprehensive Safety Plan)

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

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

In the event that training is not provided to mandated reporters, the Superintendent or designee shall report to the California Department of Education the reasons that such training is not provided. (Penal Code 11165.7)

**Legal Reference:**

**EDUCATION CODE**

32280-32288 Comprehensive school safety plans

33308.1 Guidelines on procedure for filing child abuse complaints

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

44807 Duty concerning conduct of students

48906 Notification when student released to peace officer

48987 Dissemination of reporting guidelines to parents

49001 Prohibition of corporal punishment

51220.5 Parenting skills education

#### 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

11164-11174.4 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

#### WEB SITES

California Attorney General's Office, Crime and Violence Prevention Center: <http://safestate.org>

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

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

U.S. Department of Health and Human Services, National Clearinghouse on Child Abuse and Neglect Information: <http://nccanch.acf.hhs.gov>

Policy BASS LAKE JOINT UNION SCHOOL DISTRICT

adopted: November 13, 2013 Oakhurst, California

**(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)**



**Disaster Plan (See Appendix C-F)**

**ADMINISTRATIVE REGULATIONS 3516 BUSINESS AND NON-INSTRUCTIONAL OPERATIONS**

**Emergencies And Disaster Preparedness Plan**

**Components of the Plan**

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

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

(cf. 3516.1 - Fire Drills and Fires)

**2. Earthquake or other natural disasters**

(cf. 3516.3 - Earthquake Emergency Procedure System)

**3. Environmental hazards**

(cf. 3514 - Environmental Safety)

(cf. 3514.2 - Integrated Pest Management)

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

(cf. 3515 - Campus Security)

(cf. 3515.2 - Disruptions)

(cf. 5131.4 - Student Disturbances)

**5. Bomb threat or actual detonation**

(cf. 3516.2 - Bomb Threats)

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

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

(cf. 5141.22 - Infectious Diseases)

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

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

(cf. 3530 - Risk Management/Insurance)

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

**a. Training of staff in first aid and cardiopulmonary resuscitation**

**b. Regular practice of emergency procedures by students and staff**

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

3. Specific determination of roles and responsibilities of staff during a disaster or other emergency, including determination of:

a. The appropriate chain of command at the district and, if communication between the district and site is not possible, at each site

b. Individuals responsible for specific duties

c. Designation of the principal for the overall control and supervision of activities at each school during the emergency, including authorization to use his/her discretion in situations which do not permit execution of prearranged plans

d. Identification of at least one person at each site who holds a valid certificate in first aid and cardiopulmonary resuscitation

e. Assignment of responsibility for identification of injured persons and administration of first aid

4. Personal safety and security, including:

a. Identification of areas of responsibility for supervision of students

b. Procedures for evacuation of students and staff, including posting of evacuation routes

c. Procedures for release of students, including a procedure to release students when reference to the emergency card is not feasible

(cf. 5141 - Health Care and Emergencies)

(cf. 5142 - Safety)

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

(cf. 3543 - Transportation Safety and Emergencies)

e. Provision of a first aid kit to each classroom

f. Arrangements for students and staff with special needs

(cf. 4032 - Reasonable Accommodation)

(cf. 6159 - Individualized Education Program)

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

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

(cf. 4261.1 - Personal Illness/Injury Leave)

(cf. 5113 - Absences and Excuses)

(cf. 6183 - Home and Hospital Instruction)

5. Closure of schools, including an analysis of:

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

(cf. 3516.5 - Emergency Schedules)

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

- a. Identification of spokesperson(s)

(cf. 1112 - Media Relations)

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

(cf. 1113 - District and School Web Sites)

c. Development of methods to ensure that communications are, to the extent practicable, in a language and format that is easy for parents/guardians to understand

d. Distribution of information about district and school site emergency procedures to staff, students, and parents/guardians

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

- a. Development of guidelines for law enforcement involvement and intervention

b. Collaboration with the local health department, including development of a tracking system to alert the local health department to a substantial increase of student or staff absenteeism as indicative of a potential outbreak of an infectious disease

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

8. Steps to be taken after the disaster or emergency, including:

- a. Inspection of school facilities

b. Provision of mental health services for students and staff, as needed

(cf. 6164.2 - Guidance/Counseling Services)

Regulation BASS LAKE JOINT UNION SCHOOL DISTRICT

approved: November 13, 2013 Oakhurst, California

### **Public Agency Use of School Buildings for Emergency Shelters**

### **(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines BOARD POLICY 5144 STUDENTS**

#### **DISCIPLINE**

The Board of Trustees is committed to providing a safe, supportive, and positive school environment which is conducive to student learning and achievement and desires to prepare 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/guardian involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

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

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

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

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 or permitted by law or when other means of correction have been documented to have failed. (Education Code 48900.5)

(cf. 5020 - Parent Rights and Responsibilities)

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

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

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

(cf. 6164.5 - Student Success Teams)

School personnel and volunteers shall not allow any disciplinary action taken against a student to result in the denial or delay of a school meal. (Education Code 49557.5)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3551 - Food Service Operations/Cafeteria Fund)

(cf. 3553 - Free and Reduced Price Meals)

Seclusion and behavioral restraint are prohibited as a means of discipline and shall not be used to correct student behavior except as permitted pursuant to Education Code 49005.4 and in accordance with district regulations. (Education Code 49005.2)

(cf. 5131.41 - Use of Seclusion and Restraint)

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

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 9320 - Meetings and Notices)

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

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

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

(cf. 0415 - Equity)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

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

**Legal Reference:**

**EDUCATION CODE**

32280-32289 School safety plans

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

37223 Weekend classes

44807.5 Restriction from recess

48900-48926 Suspension and expulsion

48980-48985 Notification of parent/guardian

49005-49006.4 Seclusion and restraint

49330-49335 Injurious objects

49550-49564.5 Meals for needy students

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

**UNITED STATES CODE, TITLE 20**

1400-1482 Individuals with Disabilities Education Act

**UNITED STATES CODE, TITLE 29**

794 Section 504 of the Rehabilitation Act of 1973

**UNITED STATES CODE, TITLE 42**

1751-1769j School Lunch Program

1773 School Breakfast Program

Management Resources:

**CSBA PUBLICATIONS**

Recent Legislation on Discipline: AB 240, Fact Sheet, March 2015

The Case for Reducing Out-of-School Suspensions and Expulsions, Fact Sheet, April 2014

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

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

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

#### CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

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

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

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

#### WEB SITES

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

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

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

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

#### Policy BASS LAKE JOINT UNION SCHOOL DISTRICT

adopted: March 13, 2019 Oakhurst, California

#### ADMINISTRATIVE REGULATIONS 5144 STUDENTS

#### DISCIPLINE

##### Site-Level Rules

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

1. Parents/guardians
2. Teachers
3. School administrators
4. School security personnel, if any

(cf. 3515.3 - District Police/Security Department)

5. For junior high and high schools, students enrolled in the school

Annually, site-level discipline rules shall be reviewed and, if necessary, updated to align with any changes in state law, district discipline policies and regulations, and/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 35291.5)

#### Disciplinary Strategies

To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Except when students' presence causes a danger to themselves or others or they commit 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 parents/guardians

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent involvement)

2. Referral of the student to the school counselor or other school support service personnel for case management and counseling

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

3. Convening of a study team, guidance team, resource panel, or other intervention-related team to assess the behavior and develop and implement an individual plan to address the behavior in partnership with the student and parents/guardians

(cf. 6164.5 - Student Success Teams)

4. When applicable, referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program or a Section 504 plan

(cf. 6159 - Individualized Education Program)

(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 approach 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/Cocurricular Activities)

15. Reassignment to an alternative educational environment

(cf. 6158 - Independent Study)

(cf. 6181 - Alternative Schools/Programs of Choice)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

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

Teachers may restrict a student's recess time only when they believe that this action is the most effective way to bring about improved behavior. When recess restriction involves the withholding of physical activity from a student, teachers 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. The student's teacher shall inform the principal of any recess restrictions imposed.

(cf. 5030 - Student Wellness)

(cf. 6142.7 - Physical Education and Activity)

#### Detention After School

Students may be detained for disciplinary reasons for up to one hour after the close of the maximum school day, or until the departure of the school bus to which they have been assigned if applicable. (5 CCR 307, 353)

The student shall not be detained unless the principal or designee notifies the parent/guardian.

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

Students 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 require a student to perform community service during nonschool 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, community or campus betterment, and teacher, peer, or youth assistance programs. (Education Code 48900.6)

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

#### Notice to Parents/Guardians and Students

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

(cf. 5145.6 - Parental Notifications)

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

#### Regulation BASS LAKE JOINT UNION SCHOOL DISTRICT

approved: March 13, 2019 Oakhurst, California

#### BOARD POLICY 5144.1 STUDENTS

##### SUSPENSION AND EXPULSION/DUE PROCESS

The Board of Trustees desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

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

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

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

(cf. 5112.5 - Open/Closed Campus)

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

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

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

#### Appropriate Use of Suspension Authority

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

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

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

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

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

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

#### On-Campus Suspension

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

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

#### Authority to Expel

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

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

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

2. Selling or otherwise furnishing a firearm

3. Brandishing a knife at another person

4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058

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 an open session of a Board meeting.

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)

No child enrolled in a preschool program shall be expelled except under limited circumstances as specified in AR 5148.3 - Preschool/Early Childhood Education.

(cf. 5148.3 - Preschool/Early Childhood Education)

#### Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording them their due process rights under the law. The

Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5, 48918)

(cf. 5119 - Students Expelled from Other Districts)

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

#### Maintenance and Monitoring of Outcome Data

The Superintendent or designee shall maintain outcome data related to student suspensions and expulsions in accordance with Education Code 48900.8 and 48916.1, including, but not limited to, the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period. For any expulsion that involves the possession of a firearm, such data shall include the name of the school and the type of firearm involved, as required pursuant to 20 USC 7961. Suspension and expulsion data shall be reported to the Board annually and to the California Department of Education when so required.

In presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.

(cf. 0460 - Local Control and Accountability Plan)

#### Legal Reference:

#### EDUCATION CODE

212.5 Sexual harassment

233 Hate violence

1981-1981.5 Enrollment of students in community school

8239.1 Prohibition against expulsion of preschool student

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35145 Open board meetings

35146 Closed sessions (regarding suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

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

52052 Numerically significant student subgroups

52060-52077 Local control and accountability plan

64000-64001 Consolidated application

#### 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

#### HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

#### LABOR CODE

230.7 Employee 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 exercise of civil rights

422.7 Aggravating factors for punishment

422.75 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

7961 Gun-free schools

#### UNITED STATES CODE, TITLE 42

11432-11435 Education of homeless children and youths

#### COURT DECISIONS

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

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

Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H. (2001) 85 Cal.App.4th 1321

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 118

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

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

#### 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:

#### 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 Healthy Students: <http://www2.ed.gov/about/offices/list/ose/oshhs>

#### Policy BASS LAKE JOINT UNION SCHOOL DISTRICT

adopted: November 14, 2018 Oakhurst, California

#### ADMINISTRATIVE REGULATIONS 5144.1 STUDENTS

#### SUSPENSION AND EXPULSION/DUE PROCESS

##### Definitions

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

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Board of Trustees for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910



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

#### Notice of Regulations

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

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

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

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

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

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

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

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

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

(cf. 5131.6 - Alcohol and Other Drugs)

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

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

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

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

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

(cf. 5131.62 - Tobacco)

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

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

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

12. Possessed an imitation firearm (Education Code 48900(m))

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

13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))

14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code 48900(o))

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

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

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

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

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

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

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

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

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 6163.4 - Student Use of Technology)

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

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

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

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

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

Additional Grounds for Suspension and Expulsion: Grades 4-12

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

(cf. 5131.4 - Student Disturbances)

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

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

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

(cf. 5145.7 - Sexual Harassment)

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

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

(cf. 5145.9 - Hate-Motivated Behavior)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

Suspension from Class by a Teacher

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

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

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

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

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

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

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

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

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

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

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

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

(cf. 5125 - Student Records)

#### Length of Suspension

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

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

(cf. 6184 - Continuation Education)

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

#### Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

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

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

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

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

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

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

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

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

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

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

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

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

(cf. 6173.1 - Education for Foster Youth)

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

(cf. 6173 - Education for Homeless Children)

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

#### Suspension by the Board

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

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

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

(cf. 9321 - Closed Session Purposes and Agendas)

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

#### On-Campus Suspension

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

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

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

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

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

1. Causing serious physical injury to another person, except in self-defense

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

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

#### Student's Right to Expulsion Hearing

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

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

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

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

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

#### Stipulated Expulsion

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

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

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

#### Rights of Complaining Witness

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

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

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

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

#### Written Notice of the Expulsion Hearing

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

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

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

(cf. 5119 - Students Expelled from Other Districts)

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

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

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

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

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

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

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



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

#### Conduct of Expulsion Hearing

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Final Action by the Board

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

(cf. 9321.1 - Closed Session Actions and Reports)

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

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

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

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

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

#### Written Notice to Expel

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

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

#### Decision to Suspend Expulsion Order

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

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

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

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

#### Appeal

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

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

#### 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 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 of any student acts involving 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 county or district law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

#### Placement During Expulsion

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

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

(cf. 6158 - Independent Study)

(cf. 6185 - Community Day School)

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

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

#### Readmission After Expulsion

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

1. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.

2. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.

3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.

4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)

5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.

6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying 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 its specific cause(s). (Education Code 48900.8)

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

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

(cf. 5119 - Students Expelled from Other Districts)

Regulation BASS LAKE JOINT UNION SCHOOL DISTRICT

approved: November 14, 2018 Oakhurst, California

BOARD POLICY 5144.2 STUDENTS

SUSPENSION AND EXPULSION/DUE PROCESS (Students with Disabilities)

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

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

Suspension

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

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

(cf. 6159 - Individualized Education Program)

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

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

If a student's removal is determined to be a change of placement as specified in items #1-2 above, or the student is suspended for more than 10 school days in the same school year, the

student's IEP team shall determine the appropriate educational services. Such services shall be designed to enable the student to continue to participate in the general education curriculum in another setting, to progress toward meeting the goals set out in his/her IEP, and to address the student's behavior violation so that it does not recur. (20 USC 1412(a)(1)(A); 34 CFR 300.530)

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

(cf. 3541.2 - Transportation for Students with Disabilities)

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

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

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

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

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

A student who has been removed from his/her current placement because of dangerous behavior shall receive services, although in another setting, to the extent necessary to allow him/her to participate in the general education curriculum and to progress toward meeting the

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

#### Manifestation Determination

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

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

(cf. 5145.6 - Parental Notifications)

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

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

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

a. Caused by or had a direct and substantial relationship to the student's disability

b. A direct result of the district's failure to implement the student's IEP, in which case the district shall take immediate steps to remedy those deficiencies

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

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

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

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

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

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



(cf. 6158 - Independent Study)

(cf. 6185 - Community Day School)

#### Due Process Appeals

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

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

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

#### Readmission

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

#### Decision Not to Enforce Expulsion Order

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

#### Notification to Law Enforcement Authorities

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

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

#### Report to County Superintendent of Schools

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

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

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

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

1. The parent/guardian, in writing, has expressed concern to district supervisory or administrative personnel, or to a teacher of the student, that the student is in need of special education or related services.

2. The parent/guardian has requested an evaluation of the student for special education pursuant to 20 USC 1414(a)(1)(B) or 34 CFR 300.300-300.311.

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

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

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

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

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

#### Legal Reference:

#### EDUCATION CODE

35146 Closed sessions re: suspensions

35291 Rules of governing board

48203 Reports of severance of attendance of disabled students

48900-48925 Suspension and expulsion

49076 Access to student records

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 Individualized 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 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

300.1-300.818 Assistance to states for the education of students with disabilities, especially:

300.530-300.537 Discipline procedures

COURT DECISIONS

Schaffer v. Weast, (2005) 546 U.S. 549

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

Management Resources:

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

WEB SITES

California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>

Comprehensive School Safety Plan

U.S. Department of Education, Office of Special Education Programs: <http://www.ed.gov/about/offices/list/osep>

Regulation BASS LAKE JOINT UNION SCHOOL DISTRICT

approved: November 13, 2013 Oakhurst, California

**(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)**

All teachers have access to the disciplinary records of all students who are enrolled in their class via the student information system (AERIES).

**(E) Sexual Harassment Policies (EC 212.6 (b))**

BOARD POLICY 4119.11 PERSONNEL

**SEXUAL HARASSMENT**

The Board of Trustees is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees and retaliatory behavior or action against any person who complains, testifies, or otherwise participates in the complaint process established for the purpose of this policy.

Sexual harassment includes, but is not limited to, harassment that is based on the gender, gender identity, gender expression, or sexual orientation of the victim.

This policy shall apply to all district employees and to other persons on district property or with some employment relationship with the district, such as interns, volunteers, contractors, and job applicants.

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

(cf. 4030 - Nondiscrimination in Employment)

Any district employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal.

(cf. 4117.7/4317.7 - Employment Status Reports)

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

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

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

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to employees and others to whom the policy may apply

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

3. Ensuring prompt, thorough, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed

expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

#### Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of his/her district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her direct supervisor, another supervisor, the district's coordinator for nondiscrimination, the Superintendent, or, if available, a complaint hotline or an ombudsman. A supervisor or administrator who receives a harassment complaint shall promptly notify the coordinator.

Complaints of sexual harassment shall be filed and investigated in accordance with the complaint procedure specified in AR 4030 - Nondiscrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (2 CCR 11023)

#### Legal Reference:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

##### GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

12950 Sexual harassment; distribution of information

12950.1 Sexual harassment training

##### LABOR CODE

1101 Political activities of employees

1102.1 Discrimination: sexual orientation

##### CODE OF REGULATIONS, TITLE 2

11009 Employment discrimination

11021 Retaliation

11023 Harassment and discrimination prevention and correction

11024 Sexual harassment training and education

11034 Terms, conditions, and privileges of employment

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 prohibition against discrimination

UNITED STATES CODE, TITLE 42

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

CODE OF FEDERAL REGULATIONS, TITLE 34

106.1-106.9 Nondiscrimination on the basis of sex in education programs or activities

106.51-106.61 Nondiscrimination on the basis of sex in employment in education program or activities

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

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

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

Management Resources:

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Promising Practices for Preventing Harassment, November 2017

WEB SITES

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

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

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

Policy BASS LAKE JOINT UNION ELEMENTARY SCHOOL DISTRICT

adopted: June 5, 2019 Oakhurst, California

ADMINISTRATIVE REGULATIONS 4119.11 PERSONNEL

## SEXUAL HARASSMENT

This administrative regulation shall apply to all allegations of sexual harassment involving employees, interns, volunteers, and job applicants, but shall not be used to resolve any complaint by or against a student.

### Definitions

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
3. Submission to or rejection of the conduct is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available at or through the district.

Prohibited sexual harassment also includes conduct which, regardless of whether or not it is motivated by sexual desire, is so severe or pervasive as to unreasonably interfere with the victim's work performance or create an intimidating, hostile, or offensive work environment.

Examples of actions that might constitute sexual harassment in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

### Training

The Superintendent or designee shall ensure that all employees receive training regarding the district's sexual harassment policies when hired and periodically thereafter. The training shall include how to recognize prohibited or harassing conduct, the procedures for reporting and/or filing complaints involving an employee, employees' duty to use the district's complaint procedures, and employee obligations when a sexual harassment report involving a student is made to the employee. The training shall also include information about processes for employees to informally share or obtain information about harassment without filing a complaint.

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 5145.7 - Sexual Harassment)

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

A supervisory employee is any employee having the authority, in the interest of the district, to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, adjust their grievances, or effectively recommend such action, when the exercise of the authority is not of a merely routine or clerical nature, but requires the use of independent judgment. (Government Code 12926)

(cf. 4300 - Administrative and Supervisory Personnel)

The district's sexual harassment training and education program for supervisory employees shall be aimed at assisting them in preventing and effectively responding to incidents of sexual harassment, as well as implementing mechanisms to promptly address and correct wrongful behavior. The training shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

1. Information and practical guidance regarding federal and state laws on the prohibition, prevention, and correction of sexual harassment, the remedies available to sexual harassment victims in civil actions, and potential district and/or individual exposure or liability
2. The types of conduct that constitute sexual harassment and practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources
3. A supervisor's obligation to report sexual harassment, discrimination, and retaliation of which he/she becomes aware and what to do if the supervisor himself/herself is personally accused of harassment
4. Strategies for preventing harassment, discrimination, and retaliation and appropriate steps to ensure that remedial measures are taken to correct harassing behavior, including an effective process for investigation of a complaint
5. The essential elements of the district's anti-harassment policy, including the limited confidentiality of the complaint process and resources for victims of unlawful sexual harassment, such as to whom they should report any alleged sexual harassment, and how to use the policy if a harassment complaint is filed
6. A copy of the district's sexual harassment policy and administrative regulation, which each participant shall acknowledge in writing that he/she has received
7. The definition and prevention of abusive conduct that addresses the use of derogatory remarks, insults, or epithets, other verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, and the gratuitous sabotage or undermining of a person's work performance
8. Practical examples of harassment based on gender identity, gender expression, and sexual orientation

The Superintendent or designee shall retain for at least two years the records of any training provided to supervisory employees. Such records shall include the names of trained employees, date of the training, the type of training, and the name of the training provider. (2 CCR 11024)

#### Notifications

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

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted
2. Be provided to every district employee 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 a copy of an information sheet prepared by the California Department of Fair Employment and Housing (DFEH) or the district that contains, 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 DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC
7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

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

Regulation BASS LAKE JOINT UNION ELEMENTARY SCHOOL DISTRICT

approved: June 5, 2019 Oakhurst, California

#### BOARD POLICY 4219.11 PERSONNEL

##### SEXUAL HARASSMENT

The Board of Trustees is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees and retaliatory behavior or action against any person who complains, testifies, or otherwise participates in the complaint process established for the purpose of this policy.

Sexual harassment includes, but is not limited to, harassment that is based on the gender, gender identity, gender expression, or sexual orientation of the victim.

This policy shall apply to all district employees and to other persons on district property or with some employment relationship with the district, such as interns, volunteers, contractors, and job applicants.

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

(cf. 4030 - Nondiscrimination in Employment)

Any district employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal.

(cf. 4117.7/4317.7 - Employment Status Reports)

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

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

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

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to employees and others to whom the policy may apply

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

3. Ensuring prompt, thorough, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed

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#### Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of his/her district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her direct supervisor, another supervisor, the district's coordinator for nondiscrimination, the Superintendent, or, if available, a complaint hotline or an ombudsman. A supervisor or administrator who receives a harassment complaint shall promptly notify the coordinator.

Complaints of sexual harassment shall be filed and investigated in accordance with the complaint procedure specified in AR 4030 - Nondiscrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (2 CCR 11023)

#### Legal Reference:

##### EDUCATION CODE

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

UNITED STATES CODE, TITLE 20

1681-1688 Title IX prohibition against discrimination

UNITED STATES CODE, TITLE 42

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

CODE OF FEDERAL REGULATIONS, TITLE 34

106.1-106.9 Nondiscrimination on the basis of sex in education programs or activities

106.51-106.61 Nondiscrimination on the basis of sex in employment in education program or activities

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

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

Management Resources:

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

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WEB SITES

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

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

Policy BASS LAKE JOINT UNION ELEMENTARY SCHOOL DISTRICT

adopted: June 5, 2019 Oakhurst, California

## ADMINISTRATIVE REGULATIONS 4219.11 PERSONNEL

### SEXUAL HARASSMENT

This administrative regulation shall apply to all allegations of sexual harassment involving employees, interns, volunteers, and job applicants, but shall not be used to resolve any complaint by or against a student.

#### Definitions

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
3. Submission to or rejection of the conduct is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available at or through the district.

Prohibited sexual harassment also includes conduct which, regardless of whether or not it is motivated by sexual desire, is so severe or pervasive as to unreasonably interfere with the victim's work performance or create an intimidating, hostile, or offensive work environment.

Examples of actions that might constitute sexual harassment in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

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3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

#### Training

The Superintendent or designee shall ensure that all employees receive training regarding the district's sexual harassment policies when hired and periodically thereafter. The training shall include how to recognize prohibited or harassing conduct, the procedures for reporting and/or filing complaints involving an employee, employees' duty to use the district's complaint procedures, and employee obligations when a sexual harassment report involving a student is made to the employee. The training shall also include information about processes for employees to informally share or obtain information about harassment without filing a complaint.

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 5145.7 - Sexual Harassment)

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

A supervisory employee is any employee having the authority, in the interest of the district, to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, adjust their grievances, or effectively recommend such action, when the exercise of the authority is not of a merely routine or clerical nature, but requires the use of independent judgment. (Government Code 12926)

(cf. 4300 - Administrative and Supervisory Personnel)

The district's sexual harassment training and education program for supervisory employees shall be aimed at assisting them in preventing and effectively responding to incidents of sexual harassment, as well as implementing mechanisms to promptly address and correct wrongful behavior. The training shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

1. Information and practical guidance regarding federal and state laws on the prohibition, prevention, and correction of sexual harassment, the remedies available to sexual harassment victims in civil actions, and potential district and/or individual exposure or liability
2. The types of conduct that constitute sexual harassment and practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources
3. A supervisor's obligation to report sexual harassment, discrimination, and retaliation of which he/she becomes aware and what to do if the supervisor himself/herself is personally accused of harassment
4. Strategies for preventing harassment, discrimination, and retaliation and appropriate steps to ensure that remedial measures are taken to correct harassing behavior, including an effective process for investigation of a complaint
5. The essential elements of the district's anti-harassment policy, including the limited confidentiality of the complaint process and resources for victims of unlawful sexual harassment, such as to whom they should report any alleged sexual harassment, and how to use the policy if a harassment complaint is filed
6. A copy of the district's sexual harassment policy and administrative regulation, which each participant shall acknowledge in writing that he/she has received
7. The definition and prevention of abusive conduct that addresses the use of derogatory remarks, insults, or epithets, other verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, and the gratuitous sabotage or undermining of a person's work performance
8. Practical examples of harassment based on gender identity, gender expression, and sexual orientation

The Superintendent or designee shall retain for at least two years the records of any training provided to supervisory employees. Such records shall include the names of trained employees, date of the training, the type of training, and the name of the training provider. (2 CCR 11024)

#### Notifications

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

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted
2. Be provided to every district employee 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 a copy of an information sheet prepared by the California Department of Fair Employment and Housing (DFEH) or the district that contains, 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 DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC
7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

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

Regulation BASS LAKE JOINT UNION ELEMENTARY SCHOOL DISTRICT

approved: June 5, 2019 Oakhurst, California

#### BOARD POLICY 4319.11 PERSONNEL

##### SEXUAL HARASSMENT

The Board of Trustees is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees and retaliatory behavior or action against any person who complains, testifies, or otherwise participates in the complaint process established for the purpose of this policy.

Sexual harassment includes, but is not limited to, harassment that is based on the gender, gender identity, gender expression, or sexual orientation of the victim.

This policy shall apply to all district employees and to other persons on district property or with some employment relationship with the district, such as interns, volunteers, contractors, and job applicants.

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

(cf. 4030 - Nondiscrimination in Employment)

Any district employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal.

(cf. 4117.7/4317.7 - Employment Status Reports)

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

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

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

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to employees and others to whom the policy may apply

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

3. Ensuring prompt, thorough, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed

expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

#### Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of his/her district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her direct supervisor, another supervisor, the district's coordinator for nondiscrimination, the Superintendent, or, if available, a complaint hotline or an ombudsman. A supervisor or administrator who receives a harassment complaint shall promptly notify the coordinator.

Complaints of sexual harassment shall be filed and investigated in accordance with the complaint procedure specified in AR 4030 - Nondiscrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (2 CCR 11023)

#### Legal Reference:

#### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

**GOVERNMENT CODE**

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

12950 Sexual harassment; distribution of information

12950.1 Sexual harassment training

**LABOR CODE**

1101 Political activities of employees

1102.1 Discrimination: sexual orientation

**CODE OF REGULATIONS, TITLE 2**

11009 Employment discrimination

11021 Retaliation

11023 Harassment and discrimination prevention and correction

11024 Sexual harassment training and education

11034 Terms, conditions, and privileges of employment

**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 prohibition against discrimination

**UNITED STATES CODE, TITLE 42**

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

**CODE OF FEDERAL REGULATIONS, TITLE 34**

106.1-106.9 Nondiscrimination on the basis of sex in education programs or activities

106.51-106.61 Nondiscrimination on the basis of sex in employment in education program or activities

**COURT DECISIONS**

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

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

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



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

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

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

Management Resources:

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Promising Practices for Preventing Harassment, November 2017

WEB SITES

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

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

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

Policy BASS LAKE JOINT UNION ELEMENTARY SCHOOL DISTRICT

adopted: June 5, 2019 Oakhurst, California

ADMINISTRATIVE REGULATIONS 4319.11 PERSONNEL

SEXUAL HARASSMENT

This administrative regulation shall apply to all allegations of sexual harassment involving employees, interns, volunteers, and job applicants, but shall not be used to resolve any complaint by or against a student.

Definitions

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
3. Submission to or rejection of the conduct is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available at or through the district.

Prohibited sexual harassment also includes conduct which, regardless of whether or not it is motivated by sexual desire, is so severe or pervasive as to unreasonably interfere with the victim's work performance or create an intimidating, hostile, or offensive work environment.

Examples of actions that might constitute sexual harassment in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

#### Training

The Superintendent or designee shall ensure that all employees receive training regarding the district's sexual harassment policies when hired and periodically thereafter. The training shall include how to recognize prohibited or harassing conduct, the procedures for reporting and/or filing complaints involving an employee, employees' duty to use the district's complaint procedures, and employee obligations when a sexual harassment report involving a student is made to the employee. The training shall also include information about processes for employees to informally share or obtain information about harassment without filing a complaint.

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 5145.7 - Sexual Harassment)

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

A supervisory employee is any employee having the authority, in the interest of the district, to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, adjust their grievances, or effectively recommend such action, when the exercise of the authority is not of a merely routine or clerical nature, but requires the use of independent judgment. (Government Code 12926)

(cf. 4300 - Administrative and Supervisory Personnel)

The district's sexual harassment training and education program for supervisory employees shall be aimed at assisting them in preventing and effectively responding to incidents of sexual harassment, as well as implementing mechanisms to promptly address and correct wrongful behavior. The training shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

1. Information and practical guidance regarding federal and state laws on the prohibition, prevention, and correction of sexual harassment, the remedies available to sexual harassment victims in civil actions, and potential district and/or individual exposure or liability
2. The types of conduct that constitute sexual harassment and practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources
3. A supervisor's obligation to report sexual harassment, discrimination, and retaliation of which he/she becomes aware and what to do if the supervisor himself/herself is personally accused of harassment
4. Strategies for preventing harassment, discrimination, and retaliation and appropriate steps to ensure that remedial measures are taken to correct harassing behavior, including an effective process for investigation of a complaint

5. The essential elements of the district's anti-harassment policy, including the limited confidentiality of the complaint process and resources for victims of unlawful sexual harassment, such as to whom they should report any alleged sexual harassment, and how to use the policy if a harassment complaint is filed

6. A copy of the district's sexual harassment policy and administrative regulation, which each participant shall acknowledge in writing that he/she has received

7. The definition and prevention of abusive conduct that addresses the use of derogatory remarks, insults, or epithets, other verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, and the gratuitous sabotage or undermining of a person's work performance

8. Practical examples of harassment based on gender identity, gender expression, and sexual orientation

The Superintendent or designee shall retain for at least two years the records of any training provided to supervisory employees. Such records shall include the names of trained employees, date of the training, the type of training, and the name of the training provider. (2 CCR 11024)

#### Notifications

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

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

2. Be provided to every district employee 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 a copy of an information sheet prepared by the California Department of Fair Employment and Housing (DFEH) or the district that contains, 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 DFEH and the Equal Employment Opportunity Commission (EEOC)

6. Directions on how to contact DFEH and the EEOC

7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

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

Regulation BASS LAKE JOINT UNION ELEMENTARY SCHOOL DISTRICT

approved: June 5, 2019 Oakhurst, California

## BOARD POLICY 5145.7 STUDENTS

### SEXUAL HARASSMENT

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

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

(cf. 1312.3 - Uniform Complaint Procedures)

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

#### Instruction/Information

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
5. Information about the rights of students and parents/guardians to file a criminal complaint, as applicable

#### Complaint Process

Any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity (e.g., by a visiting athlete or coach) shall immediately contact his/her teacher or any other employee. An employee who receives such a complaint shall report it in accordance with administrative regulation.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

The Superintendent or designee shall ensure that any complaints regarding sexual harassment are immediately investigated in accordance with administrative regulation. When the Superintendent or designee has determined that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and to address its effects on the victim.

#### Disciplinary Actions

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

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

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

#### Confidentiality and Record-Keeping

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

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

(cf. 5125 - Student Records)

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 the schools.

#### Legal Reference:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

##### CIVIL CODE

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

1714.1 Liability of parents/guardians for willful misconduct of minor

##### GOVERNMENT CODE

12950.1 Sexual harassment training

##### CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX, discrimination

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

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

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

CODE OF FEDERAL REGULATIONS, TITLE 34

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

COURT DECISIONS

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

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736

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

Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274

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

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

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

OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Sexual Violence, April 4, 2011

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance, January 2001

WEB SITES

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

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

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

Policy BASS LAKE JOINT UNION SCHOOL DISTRICT

adopted: November 13, 2013 Oakhurst, California

ADMINISTRATIVE REGULATIONS 5145.7 STUDENTS

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 educational setting, when made on the basis of sex and under any of the following conditions: (Education Code 212.5; 5 CCR 4916)

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

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

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
3. Graphic verbal comments about an individual's body or overly personal conversation
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual's body or clothes in a sexual way

9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex

10. Displaying sexually suggestive objects

11. Sexual assault, sexual battery, or sexual coercion

#### School-Level Complaint Process/Grievance Procedure

Complaints of sexual harassment, or any behavior prohibited by the district's Nondiscrimination/Harassment policy - BP 5145.3, shall be handled in accordance with the following procedure:

1. Notice and Receipt of Complaint: Any student who believes he/she has been subjected to sexual harassment or who has witnessed sexual harassment may file a complaint with any school employee. Within 24 hours of receiving a complaint, the school employee shall report it to the district Coordinator for Nondiscrimination/Principal. In addition, any school employee who observes any incident of sexual harassment involving a student shall, within 24 hours, report this observation to the Coordinator/Principal, whether or not the victim files a complaint.

In any case of sexual harassment involving the Coordinator/Principal to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall instead report to the Superintendent or designee.

2. Initiation of Investigation: The Coordinator/Principal shall initiate an impartial investigation of an allegation of sexual harassment within five school days of receiving notice of the harassing behavior, regardless of whether a formal complaint has been filed. The district shall be considered to have "notice" of the need for an investigation upon receipt of information from a student who believes he/she has been subjected to harassment, the student's parent/guardian, an employee who received a complaint from a student, or any employee or student who witnessed the behavior.

If the Coordinator/Principal receives an anonymous complaint or media report about alleged sexual harassment, he/she shall determine whether it is reasonable to pursue an investigation considering the specificity and reliability of the information, the seriousness of the alleged incident, and whether any individuals can be identified who were subjected to the alleged harassment.

3. Initial Interview with Student: When a student or parent/guardian has complained or provided information about sexual harassment, the Coordinator/Principal shall describe the district's grievance procedure and discuss what actions are being sought by the student in response to the complaint. The student who is complaining shall have an opportunity to describe the incident, identify witnesses who may have relevant information, provide other evidence of the harassment, and put his/her complaint in writing. If the student requests confidentiality, he/she shall be informed that such a request may limit the district's ability to investigate.

4. Investigation Process: The Coordinator/Principal shall keep the complaint and allegation confidential, except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

The Coordinator/Principal shall interview individuals who are relevant to the investigation, including, but not limited to, the student who is complaining, the person accused of harassment, anyone who witnessed the reported harassment, and anyone mentioned as having relevant information. The Coordinator/Principal may take other steps such as reviewing any records, notes, or statements related to the harassment or visiting the location where the harassment is alleged to have taken place.

When necessary to carry out his/her investigation or to protect student safety, the Coordinator/Principal also may discuss the complaint with the Superintendent or designee, the parent/guardian of the student who complained, the parent/guardian of the alleged harasser if the alleged harasser is a student, a teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth, law enforcement and/or child protective services, and district legal counsel or the district's risk manager.

(cf. 5141.4 - Child Abuse Prevention and Reporting)



5. **Interim Measures:** The Coordinator/Principal shall determine whether interim measures are necessary during and pending the results of the investigation, such as placing students in separate classes or transferring a student to a class taught by a different teacher.

6. **Optional Mediation:** In cases of student-on-student harassment, when the student who complained and the alleged harasser so agree, the Coordinator/Principal 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, and he/she shall be advised of the right to end the informal process at any time.

(cf. 5138 - Conflict Resolution)

7. **Factors in Reaching a Determination:** In reaching a decision about the complaint, the Coordinator/Principal 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 any past instances of harassment by the alleged harasser
- e. Evidence of any past harassment complaints that were found to be untrue

To judge the severity of the harassment, the Coordinator/Principal 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 identity, age, and sex of the harasser and the student who complained, and the relationship between them
- d. The number of persons engaged in the harassing conduct and at whom the harassment was directed
- e. The size of the school, location of the incidents, and context in which they occurred
- f. Other incidents at the school involving different students

8. **Written Report on Findings and Follow-Up:** No more than 30 days after receiving the complaint, the Coordinator/Principal shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the Coordinator/Principal shall notify the student who complained and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If it is determined that harassment occurred, the report shall also include any corrective actions that have or will be taken

to address the harassment and prevent any retaliation or further harassment. This report shall be presented to the student who complained, the person accused, the parents/guardians of the student who complained and the student who was accused, and the Superintendent or designee.

In addition, the Coordinator/Principal shall ensure that the harassed student and his/her parent/guardian are informed of the procedures for reporting any subsequent problems. The Coordinator/Principal shall make follow-up inquiries to see if there have been any new incidents or retaliation and shall keep a record of this information.

**Enforcement of District Policy**

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

(cf. 5131.5 - Vandalism and Graffiti)

2. Providing training to students, staff, and parents/guardians about how to recognize harassment and how to respond

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

3. Disseminating and/or summarizing the district's policy and regulation regarding sexual harassment

4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to parents/guardians and the community

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

(cf. 5125 - Student Records)

5. Taking appropriate disciplinary action

In addition, disciplinary measures may be taken against any person who is found to have made a complaint of sexual harassment which he/she knew was not true.

(cf. 4118 - Suspension/Disciplinary Action)

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

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

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

Notifications

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

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

(cf. 5145.6 - Parental Notifications)

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

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

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

approved: November 13, 2013 Oakhurst, California

**(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)**

BOARD POLICY 5132 STUDENTS

**DRESS AND GROOMING**

The Board of Trustees believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to wear clothing that is suitable for the school activities in which they participate. Students shall not wear clothing that presents a health or safety hazard or is likely to cause a substantial disruption to the educational program.

(cf. 4119.22/4219.22/4319.22 - Dress and Grooming)

District and school rules pertaining to student attire shall be included in student handbooks, may be posted in school offices and classrooms, and may be periodically reviewed with all students as necessary.

Students shall not be prohibited from dressing in a manner consistent with their gender identity or gender expression or with their religious or cultural observance.

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

The principal or designee is authorized to enforce this policy and shall inform any student who does not reasonably conform to the dress code. The dress code shall not be enforced in a manner that discriminates against a particular viewpoint or results in a disproportionate application of the dress code based on students' gender, sexual orientation, race, ethnicity, household income, or body type or size.

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

(cf. 0415 - Equity)

(cf. 5145.2 - Freedom of Speech/Expression)

School administrators, teachers, and other staff shall be notified of appropriate and equitable enforcement of the dress code.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

When practical, students shall not be directed to correct a dress code violation during instructional time or in front of other students.

Repeated violations or refusal to comply with the district's dress code may result in disciplinary action.

(cf. 5144 - Discipline)

**Gang-Related Apparel**

The principal, staff, and parents/guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a proposed dress code shall be presented to the Board, which shall approve the plan upon determining that it is necessary to protect the health and safety of the school environment. The dress code policy may be included in the school's comprehensive safety plan. (Education Code 35183)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5136 - Gangs)

When determining specific items of clothing that may be defined as gang apparel, the school shall ensure that the determination is free from bias based on race, ethnicity, national origin, immigration status, or other protected characteristics.

#### Uniforms

The Board may approve a school-initiated dress code requiring students at the school to wear a school uniform whenever the Board determines that such a dress code will promote student achievement, a positive school climate, and/or student safety.

The Superintendent or designee shall establish procedures whereby parents/guardians may choose to have their children exempted from the school uniform policy. Students shall not be penalized academically, otherwise discriminated against, or denied attendance to school if their parents/guardians so decide. (Education Code 35183)

The Superintendent or designee shall ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms. (Education Code 35183)

#### Legal Reference:

##### EDUCATION CODE

220 Nondiscrimination

32281 School safety plans

35183 School dress codes; uniforms

35183.5 Sun-protective clothing

48907 Student exercise of free expression

49066 Grades; effect of physical education class apparel

##### COURT DECISIONS

Jacobs v. Clark County School District, (2008) 26 F. 3d 419

Harper v. Poway Unified School District, (2006) 445 App. 3d 166

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

827 F.Supp. 1459

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

Hazelwood School District v. Kuhlmeier, (1988) 108 S. Ct. 562

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

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

Policy BASS LAKE JOINT UNION ELEMENTARY SCHOOL DISTRICT

adopted: June 19, 2019 Oakhurst, California

#### ADMINISTRATIVE REGULATIONS 5132 STUDENTS

#### DRESS AND GROOMING

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

(cf. 0420 - School Plans/Site Councils)

The following guidelines shall apply to all regular school activities:

1. Clothing, jewelry, and personal items shall be free of writing, pictures, or any other insignia which is vulgar, lewd, obscene, profane, or sexually suggestive or which promotes the use of alcohol, drugs, tobacco, or other illegal activity.
2. Appropriate shoes must be worn at all times.
3. Hats, caps, and other head coverings shall not be worn indoors.
4. Clothes shall be sufficient to conceal undergarments. See-through tops and bare abdomens are prohibited.

The dress code shall be modified as appropriate to accommodate a student's religious or cultural observance, health condition, or other circumstance deemed necessary by the principal or designee. In addition, the principal or designee may impose dress requirements to accommodate the needs of special school activities, physical education classes, athletic activities, and other extracurricular and cocurricular activities.

(cf. 3260 - Fees and Charges)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

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

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

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

(cf. 5141.7 - Sun Safety)

#### Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff, and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received. As necessary, the school shall collaborate with law enforcement agencies to update definitions of gang-related apparel.

#### Uniforms

In schools that require a schoolwide uniform, the principal, staff, and parents/guardians of the school shall jointly select the specific uniform to be worn. (Education Code 35183)

At least six months before a school uniform policy is implemented, the principal or designee shall notify parents/guardians of this policy. (Education Code 35183)

(cf. 5145.6 - Parental Notifications)

Parents/guardians shall also be informed of their right to have their child exempted.

The Superintendent or designee shall establish criteria for determining student eligibility for financial assistance when purchasing uniforms.

Students who participate in a nationally recognized youth organization shall be allowed to wear organization uniforms on days when the organization has a scheduled meeting. (Education Code 35183)

#### Regulation BASS LAKE JOINT UNION ELEMENTARY SCHOOL DISTRICT

approved: June 19, 2019 Oakhurst, California

#### BOARD POLICY 5136 STUDENTS

##### GANGS

The Board of Trustees desires to keep district schools free from the threats or harmful influence of any groups who exhibit behavior disruptive to the school environment and/or the safety and well-being of students. The Board additionally desires to provide support and intervention to students who are members of gangs to enable them to successfully disengage from gang involvement and be successful in school.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3513.4 - Drug and Alcohol Free Schools)

(cf. 5131.4 - Student Disturbances)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5137 - Positive School Climate)

The Superintendent or designee shall develop strategies for gang prevention that address the reasons that students may become involved in gangs, including the identity, recognition, or status achieved as being part of a gang, protection from gang violence in the community, the need for companionship and an extended family, intimidation to join a gang, desire to join a gang to be in a position to intimidate others, and/or connection with criminal activity.

Gang violence prevention shall start as early as possible and include, but not be limited to, age-appropriate education that focuses on developing emotional and social competence, increasing prosocial peer bonds, strengthening attachment and commitment to school, and enhancing cooperative learning skills. Prevention shall also include improving parent/guardian involvement in and support for their children's academic progress, as well as ongoing gang awareness education for parents/guardians, including gang identifiers.

(cf. 5020 - Parent Involvement)

(cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall take steps to deter gang activity on school campuses, including threats and intimidation of students and staff, recruitment or intimidation of students to join gangs, bullying, fighting, criminal activities, and confrontations between members of different gangs.

(cf. 5131.2 - Bullying)

The Superintendent or designee shall ensure that school rules of conduct and any school dress code prohibiting gang-related apparel are enforced consistently. If a student exhibits signs of gang affiliation, staff shall so inform the principal or designee and the student's parent/guardian.

(cf. 5132 - Dress and Grooming)

The Superintendent or designee shall provide in-service training which helps staff to identify gangs and gang symbols, recognize early manifestations of disruptive activities, and respond appropriately to gang behavior. Staff shall be informed about conflict management techniques and alerted to intervention measures and community resources. The Superintendent or designee shall also provide staff development on social and emotional learning, classroom management, interactive teaching, and cooperative learning skills.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee may consider gang activity prevention and intervention when developing programs outside of the school day.

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Preschool/Early Childhood Education)

(cf. 5148.3 - Before/After School Programs)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

The Superintendent or designee shall collaborate with child welfare services, mental health agencies, social services, and local law enforcement authorities in the prevention and intervention of gang activity.

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

**Legal Reference:**

**EDUCATION CODE**

32282 School safety plans

35183 Gang-related apparel

48907 Student exercise of free expression

48950 Student freedom of speech

51264 Educational in-service training; CDE guidelines

51265 Gang violence and drug and alcohol abuse prevention in-service training

51266-51266.5 Model gang and substance abuse prevention curriculum

**PENAL CODE**

186.22 Participation in criminal street gang

13826-13826.7 Gang violence suppression

**UNITED STATES CODE, TITLE 20**

7101-7122 Student Support and Academic Enrichment Grants

**Management Resources:**

**LOS ANGELES POLICE DEPARTMENT PUBLICATIONS**

Why Young People Join Gangs

**NATIONAL GANG CENTER PUBLICATIONS**

Strategic Planning Tool

Gangs in Schools, March 2019

Parents' Guide to Gangs, July 2015

**WEB SITES**

California Cities Gang Prevention Network: <http://www.ccgpn.org>

California Department of Education: <https://www.cde.ca.gov/ls/ss/sa>

Gang Resistance Education and Training: <https://www.great-online.org/GREAT-Home>

Los Angeles Police Department, Gangs: [http://www.lapdonline.org/get\\_informed/content\\_basic\\_view/1396](http://www.lapdonline.org/get_informed/content_basic_view/1396)

Homeboy Industries: <https://homeboyindustries.org>

National Gang Center: <https://www.nationalgangcenter.gov>



Policy BASS LAKE JOINT UNION ELEMENTARY SCHOOL DISTRICT

adopted: September 11, 2019 Oakhurst, California

ADMINISTRATIVE REGULATIONS 5136 STUDENTS

GANGS

Prevention, Intervention, and Suppression Measures

The Superintendent or designee shall become informed of the gang history in the district and community, conduct assessments of current gang activity at the school sites, and document and follow up on gang-related incidents.

In order to discourage the influence of gangs, the following measures shall be implemented:

1. Any student suspected of gang affiliation based on the display of behavior, gestures, apparel, or paraphernalia shall be referred to the principal or designee, and the following actions taken, as appropriate:

a. The student's parent/guardian shall be contacted and may be asked to meet with school staff in order to proactively address the concern and be included as part of the solution.

b. The student may be sent home to change clothes if necessary.

(cf. 5132 - Dress and Grooming)

c. The student's behaviors and progress in school shall be documented, including attendance and grades.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5113.11 - Attendance Supervision)

(cf. 5113.12 - District School Attendance Review Board)

(cf. 6164.2 - Guidance/Counseling Services)

d. Intervention techniques such as mentoring, academic support, and a system of wraparound support service shall be implemented to help the student disengage from gang involvement.

e. Consistent and graduated discipline and accountability shall be implemented when appropriate and combined with positive support using conflict-resolution strategies and other restorative justice practices demonstrated to be effective with gang-involved youth.

f. Students shall be offered help in rejecting gang associations, including possible referral to community-based gang suppression and prevention organizations.

g. Law enforcement shall be notified if the student is suspected of being involved in gangs.

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

2. Any graffiti on school premises shall be removed, washed down, or painted over as soon as discovered. Graffiti shall be documented and photographed before it is removed. These photographs shall be shared with local law enforcement authorities and used in future disciplinary or criminal action against the offenders. This information can also be used to determine whether a threat or incident is imminent.

(cf. 3515 - Campus Security)

(cf. 5131.5 - Vandalism and Graffiti)

3. Classroom and after-school programs may include gang prevention lessons that are taught jointly by teachers, counselors, law enforcement, and/or other organizations that are knowledgeable about gang prevention and shall:

- a. Provide social and emotional learning designed to enhance individual self-esteem, provide positive reinforcement for acceptable behavior, and foster interest in a variety of constructive activities
- b. Explain the dangers of gang membership
- c. Provide counseling for targeted at-risk students
- d. Include lessons or role-playing workshops in gang avoidance skills and nonviolent conflict resolution, including communication skills, anti-bullying, anger management, acceptance, and mediation skills

(cf. 5131.2 - Bullying)

- e. Assign individual gang members to cooperative learning groups in which they may work toward common goals with students who are not members of their gang
- f. Provide school-to-career instruction
- g. Provide positive interaction with local law enforcement

(cf. 5137 - Positive School Climate)

4. Staff shall actively promote membership in authorized school clubs and student organizations, sports and cultural activities and affiliations with the local community, and community service projects which can provide students companionship, safety, and a sense of purpose and belonging.

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

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

Parent/Guardian and Community Outreach

The Superintendent or designee may offer gang prevention classes or counseling for parents/guardians which may address the following topics:

1. The reasons students join gangs
2. The dangers and consequences of gang membership
3. Warning signs which may indicate that students are at risk of becoming involved with gangs, including the use of social media for gang communication and promotion
4. The nature of local gang apparel and graffiti

5. Effective parenting techniques and planning family time

6. Conflict resolution techniques

In addition, the Superintendent or designee may offer community programs that address the scope and nature of local gang problems and strategies by which each segment of the community may alleviate gang problems.

Regulation BASS LAKE JOINT UNION ELEMENTARY SCHOOL DISTRICT

approved: September 11, 2019 Oakhurst, California

**(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)**  
BOARD POLICY 5142 STUDENTS

SAFETY

The Board of Trustees recognizes the importance of providing a safe school environment that is conducive to learning and helps ensure student safety and the prevention of student injury. The Superintendent or designee shall implement appropriate practices to minimize the risk of harm to students, including, but not limited to, practices relative to school facilities and equipment, the outdoor environment, educational programs, and school-sponsored activities.

(cf. 0450 - Comprehensive Safety Plan)

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

(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

(cf. 3514.2 - Integrated Pest Management)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 3530 - Risk Management/Insurance)

(cf. 3542 - School Bus Drivers)

(cf. 3543 - Transportation Safety and Emergencies)

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.22 - Infectious Diseases)

(cf. 5142.1 - Identification and Reporting of Missing Children)

(cf. 5143 - Insurance)

(cf. 5144 - Discipline)

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

(cf. 6145.2 - Athletic Competition)

(cf. 6161.3 - Toxic Art Supplies)

(cf. 6163.2 - Animals at School)

(cf. 7111- Evaluating Existing Buildings)

Staff shall be responsible for the proper supervision of students during school hours, during school-sponsored activities, and while students are using district transportation to and from school.

The Superintendent or designee shall ensure that students receive appropriate instruction on topics related to safety, as well as injury and disease prevention.

(cf. 5141.7 - Sun Safety)

(cf. 6142.8 - Comprehensive Health Education)

#### Crossing Guards/Safety Patrol

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

#### Legal Reference:

#### EDUCATION CODE

8482-8484.6 After School Education and Safety Program

17280-17317 Building approvals (Field Act)

17365-17374 Fitness of school facilities for occupancy

32001 Fire alarms and drills

32020 School gates; entrances for emergency vehicles

32030-32034 Eye safety

32040 First aid equipment

32225-32226 Two-way communication devices in classrooms

32240-32245 Lead-free schools

32250-32254 CDE school safety and security resources unit

32280-32289 Safety plans

44807 Duty of teachers concerning conduct of students

44808 Exemption from liability when students are not on school property  
44808.5 Permission for students to leave school grounds; notice (high school)  
45450-45451 Crossing guards  
48900 Hazing  
49300-49307 School safety patrol  
49330-49335 Injurious objects  
49341 Hazardous materials in school science laboratories  
51202 Instruction in personal and public health and safety

GOVERNMENT CODE

810-996.6 California Tort Claims Act

HEALTH AND SAFETY CODE

115725-115735 Playground safety  
115775-115800 Wooden playground equipment  
115810-115816 Playground safety and recycling grants

PENAL CODE

245.6 Hazing

PUBLIC RESOURCES CODE

5411 Purchase of equipment usable by physically disabled persons

VEHICLE CODE

21100 Rules and regulations; crossing guards  
21212 Use of helmets  
42200 Fines and forfeitures, disposition by cities  
42201 Fines and forfeitures, disposition by counties

CODE OF REGULATIONS, TITLE 5

202 Exclusion of students with a contagious disease  
570-576 School safety patrols  
5531 Supervision of social activities  
5552 Playground supervision

5570 When school shall be open and teachers present

14103 Bus driver; authority over pupils

#### COURT DECISIONS

Wiener v. Southcoast Childcare Centers, (2004) 32 Cal.4th 1138

Kahn v. East Side Union High School District, (2003) 31 Cal.4th 990

Hoyem v. Manhattan Beach City School District, (1978) 22 Cal. 3d 508

Dailey v. Los Angeles Unified School District, (1970) 2 Cal 3d 741

Management Resources:

#### AMERICAN SOCIETY FOR TESTING AND MATERIALS

F 1487-05, Standard Consumer Safety Performance Specification for Playground Equipment for Public Use, 2005

#### U.S. CONSUMER PRODUCT SAFETY COMMISSION PUBLICATIONS

Handbook for Public Playground Safety, Pub. No. 325, 1994, rev. 1997

#### WEB SITES

American Society for Testing and Materials: <http://www.astm.org>

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

California Department of Public Health: <http://www.cdph.ca.gov>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Environmental Protection Agency: <http://www.epa.gov>

U.S. Consumer Product Safety Commission: <http://www.cpsc.gov>

U.S. Department of Education, Safe Schools: <http://www.ed.gov/about/offices/list/osers/osep/gtss.html>

#### Policy BASS LAKE JOINT UNION SCHOOL DISTRICT

adopted: November 13, 2013 Oakhurst, California

#### ADMINISTRATIVE REGULATIONS 5142 STUDENTS

#### SAFETY

Each principal or designee shall establish school rules for the safe and appropriate use of school equipment and materials and for student conduct consistent with law, Board policy, and administrative regulation. Copies of the rules shall be distributed to parents/guardians and shall be readily available at the school at all times.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131 - Conduct)

(cf. 5144 - Discipline)

#### Release of Students

Students shall be released during the school day only to the custody of an adult if:

1. The adult is the student's custodial parent/guardian.

(cf. 5021 - Noncustodial Parents)

2. The adult has been authorized on the student's emergency card as someone to whom the student may be released when the custodial parent/guardian cannot be reached, and the principal or designee verifies the adult's identity.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

3. The adult is an authorized law enforcement officer acting in accordance with law.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.11 Questioning and Apprehension by Law Enforcement)

4. The adult is taking the student to emergency medical care at the request of the principal or designee.

(cf. 5141 - Health Care and Emergencies)

#### Supervision of Students

Every teacher shall hold students accountable for their conduct on the way to and from school, on the playgrounds, and during recess. (Education Code 44807)

The principal or designee shall require all individuals supervising students to remain alert in spotting dangerous conditions, promptly report any such conditions to the principal or designee, and file a written report on such conditions as appropriate.

(cf. 3530 - Risk Management/Insurance)

In arranging for appropriate supervision on playgrounds, the principal or designee shall:

1. Where playground supervision is not otherwise provided, provide for certificated employees to supervise the conduct and safety, and direct the play, of students who are on school grounds before and after school and during recess and other intermissions (5 CCR 5552)

2. Clearly identify supervision zones on the playground and require all playground supervisors to remain outside at a location from which they can observe their entire zone of supervision

3. Consider the size of the playground area, the number of areas that are not immediately visible, and the age of the students to determine the ratio of playground supervisors to students

The Superintendent or designee shall ensure that teachers, teacher aides, playground supervisors, yard aides, and volunteers who supervise students receive training in safety practices and in supervisory techniques that will help them to forestall problems and resolve conflicts. Such training shall be documented and kept on file.

(cf. 1240 - Volunteer Assistance)

(cf. 3515.2 - Disruptions)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 5131.4 - Student Disturbances)

(cf. 5138 - Conflict Resolution/Peer Mediation)

#### Playground Safety

Any new playground or any replacement of equipment or modification of components inside an existing playground shall conform to standards set forth by the American Society for Testing and Materials and the guidelines set forth by the U.S. Consumer Product Safety Commission. (Health and Safety Code 115725)

Any playground installed between January 1, 1994, and December 31, 1999, shall conform to these standards not later than 15 years after the date of installation. (Health and Safety Code 115725)

#### Activities with Safety Risks

Because of concerns about the risk to student safety, the principal or designee shall not permit the following activities on campus or during school-sponsored events unless the activity is properly supervised, students wear protective gear as appropriate, and each participant has insurance coverage:

1. Trampolining
2. Scuba diving
3. Skateboarding or use of scooters
4. In-line or roller skating or use of skate shoes
5. Sailing, boating, or water skiing
6. Snow trips
7. Motorcycling
8. Target shooting
9. Horseback riding
10. Rodeo
11. Other activities determined by the principal to have a high risk to student safety

(cf. 5143 - Insurance)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6153 - School-Sponsored Trips)

Students who operate or ride as a passenger on a bicycle, nonmotorized scooter, or skateboard upon a street, bikeway, or any other public bicycle path or trail shall wear a properly fitted and fastened bicycle helmet that meets the standards of law. Students also shall be required to wear such helmets while wearing in-line or roller skates. (Vehicle Code 21212)



#### Hearing Protection

The Superintendent or designee shall monitor students' exposure to excessive noise in classrooms and provide protection as necessary. The Superintendent or designee also may provide hearing conservation education to teach students ways to protect their hearing.

#### Eye Safety Devices

The Superintendent or designee shall provide schools with eye safety devices for use whenever students, teachers, or visitors are engaged in or observing an activity or using hazardous substances likely to cause injury to the eyes. Eye safety devices may be sold to students for an amount not to exceed their actual cost to the district. (Education Code 32030, 32031, 32033)

(cf. 3260 - Fees and Charges)

#### Protection Against Insect Bites

To help protect students against insect bites or stings that may spread disease or cause allergic reactions, students shall be allowed to apply insect repellent provided by their parents/guardians, under the supervision of school personnel, and in accordance with the manufacturer's directions, when engaging in outdoor activities.

#### Regulation BASS LAKE JOINT UNION SCHOOL DISTRICT

approved: November 13, 2013 Oakhurst, California

#### **(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)**

##### **Bass Lake School District Student Conduct Code**

##### **BOARD POLICY 5144 STUDENTS**

##### **DISCIPLINE**

The Board of Trustees is committed to providing a safe, supportive, and positive school environment which is conducive to student learning and achievement and desires to prepare 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/guardian involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

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

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

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

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 or permitted by law or when other means of correction have been documented to have failed. (Education Code 48900.5)

(cf. 5020 - Parent Rights and Responsibilities)

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

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

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

(cf. 6164.5 - Student Success Teams)

School personnel and volunteers shall not allow any disciplinary action taken against a student to result in the denial or delay of a school meal. (Education Code 49557.5)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3551 - Food Service Operations/Cafeteria Fund)

(cf. 3553 - Free and Reduced Price Meals)

Seclusion and behavioral restraint are prohibited as a means of discipline and shall not be used to correct student behavior except as permitted pursuant to Education Code 49005.4 and in accordance with district regulations. (Education Code 49005.2)

(cf. 5131.41 - Use of Seclusion and Restraint)

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

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 9320 - Meetings and Notices)

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

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

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

(cf. 0415 - Equity)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

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

Legal Reference:

#### EDUCATION CODE

32280-32289 School safety plans

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

37223 Weekend classes

44807.5 Restriction from recess

48900-48926 Suspension and expulsion

48980-48985 Notification of parent/guardian

49005-49006.4 Seclusion and restraint

49330-49335 Injurious objects

49550-49564.5 Meals for needy students

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

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

1751-1769j School Lunch Program

1773 School Breakfast Program

Management Resources:

CSBA PUBLICATIONS

Recent Legislation on Discipline: AB 240, Fact Sheet, March 2015

The Case for Reducing Out-of-School Suspensions and Expulsions, Fact Sheet, April 2014

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

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

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

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

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

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

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

WEB SITES

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

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

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

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

Policy BASS LAKE JOINT UNION SCHOOL DISTRICT

adopted: March 13, 2019 Oakhurst, California

### **Conduct Code Procedures**

ADMINISTRATIVE REGULATIONS 5144 STUDENTS

### **DISCIPLINE**

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

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

1. Parents/guardians
2. Teachers
3. School administrators
4. School security personnel, if any  
(cf. 3515.3 - District Police/Security Department)
5. For junior high and high schools, students enrolled in the school

Annually, site-level discipline rules shall be reviewed and, if necessary, updated to align with any changes in state law, district discipline policies and regulations, and/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 35291.5)

#### **Disciplinary Strategies**

To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Except when students' presence causes a danger to themselves or others or they commit 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 parents/guardians

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

2. Referral of the student to the school counselor or other school support service personnel for case management and counseling

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

3. Convening of a study team, guidance team, resource panel, or other intervention-related team to assess the behavior and develop and implement an individual plan to address the behavior in partnership with the student and parents/guardians

(cf. 6164.5 - Student Success Teams)

4. When applicable, referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program or a Section 504 plan

(cf. 6159 - Individualized Education Program)

(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 approach 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/Cocurricular Activities)

15. Reassignment to an alternative educational environment

(cf. 6158 - Independent Study)

(cf. 6181 - Alternative Schools/Programs of Choice)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

## 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

Teachers may restrict a student's recess time only when they believe that this action is the most effective way to bring about improved behavior. When recess restriction involves the withholding of physical activity from a student, teachers 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. The student's teacher shall inform the principal of any recess restrictions imposed.

(cf. 5030 - Student Wellness)

(cf. 6142.7 - Physical Education and Activity)

### Detention After School

Students may be detained for disciplinary reasons for up to one hour after the close of the maximum school day, or until the departure of the school bus to which they have been assigned if applicable. (5 CCR 307, 353)

The student shall not be detained unless the principal or designee notifies the parent/guardian.

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

Students 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 require a student to perform community service during nonschool 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, community or campus betterment, and teacher, peer, or youth assistance programs. (Education Code 48900.6)

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

### Notice to Parents/Guardians and Students

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

(cf. 5145.6 - Parental Notifications)

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

Regulation BASS LAKE JOINT UNION SCHOOL DISTRICT

approved: March 13, 2019 Oakhurst, California

**(J) Hate Crime Reporting Procedures and Policies**

**BOARD POLICY 5145.9 STUDENTS**

**HATE-MOTIVATED BEHAVIOR**

In order to create a safe learning environment for all students, the Board of Trustees desires to protect the right of every student to be free from hate-motivated behavior and will promote harmonious relationships among students so as to enable them to gain a true understanding of the civil rights and social responsibilities of people in society. The district prohibits discriminatory behavior or statements that degrade an individual on the basis of his/her actual or perceived race, ethnicity, culture, heritage, gender, sex, sexual orientation, physical/mental attributes, or religious beliefs or practices.

(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 and Graffiti)

(cf. 5136 - Gangs)

(cf. 5137 - Positive School Climate)

(cf. 5141.52 - Suicide Prevention)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5147 - Dropout Prevention)

(cf. 5149 - At-Risk Students)

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. These efforts shall be focused on providing an efficient use of district and community resources.

(cf. 1020 - Youth Services)

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

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 5148.2 - Before/After School Programs)



(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6020 - Parent Involvement)

The district shall provide age-appropriate instruction to help promote an understanding of and respect for human rights, diversity, and tolerance in a multicultural society and to provide strategies to manage conflicts constructively.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6142.3 - Civic Education)

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

(cf. 6141.94 - History-Social Science Instruction)

The Superintendent or designee shall ensure that staff receive training on recognizing hate-motivated behavior and on strategies to help respond appropriately to such behavior.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

#### Grievance Procedures

Any student who believes he/she is a victim of hate-motivated behavior shall immediately contact the Coordinator for Nondiscrimination/Principal. Upon receiving such a complaint, the Coordinator/Principal shall immediately investigate the complaint in accordance with school-level complaint process/grievance procedures as described in AR 5145.7 - Sexual Harassment. A student who has been found to have demonstrated hate-motivated behavior shall be subject to discipline in accordance with law, Board policy, and administrative regulation.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5131- Conduct)

(cf. 5144 - Discipline)

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

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

(cf. 5145.7 - Sexual Harassment)

Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the Coordinator/Principal, Superintendent or designee, and/or law enforcement, as appropriate.

(cf. 3515.3 - District Police/Security Department)

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

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

(cf. 6164.2 - Guidance/Counseling Services)

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 BASS LAKE JOINT UNION SCHOOL DISTRICT

adopted: November 13, 2013 Oakhurst, California

## BOARD POLICY 5145.3 STUDENTS

### NONDISCRIMINATION/HARASSMENT

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

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

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

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

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

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

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

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

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

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 1330 - Use of Facilities)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6164.2 - Guidance/Counseling Services)

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

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

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

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

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

(cf. 5144 - Discipline)

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

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

(cf. 5145.2 - Freedom of Speech/Expression)

#### Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools.

(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48900.3 Suspension or expulsion for act of hate violence

48900.4 Suspension or expulsion for threats or harassment

48904 Liability of parent/guardian for willful student misconduct

48907 Student exercise of free expression

48950 Freedom of speech

48985 Translation of notices

49020-49023 Athletic programs

51500 Prohibited instruction or activity

51501 Prohibited means of instruction

60044 Prohibited Instructional materials

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

PENAL CODE

422.55 Definition of hate crime

422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

432 Student record

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.31 Disclosure of personally identifiable information

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

110.25 Prohibition of discrimination based on age

COURT DECISIONS

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

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

Management Resources:

CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

FIRST AMENDMENT CENTER PUBLICATIONS

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

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

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

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, Fact Sheet, August 2010

**WEB SITES**

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

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

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

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

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

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

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

Policy BASS LAKE JOINT UNION ELEMENTARY SCHOOL DISTRICT

adopted: October 10, 2018 Oakhurst, California

**BOARD POLICY 5131.2 STUDENTS**

**BULLYING**

The Board of Trustees recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

(cf. 5131 - Conduct)

(cf. 5136 - Gangs)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 6020 - Parent Involvement)

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

(cf. 0420 - School Plans/Site Councils)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

(cf. 1312.3 - Uniform Complaint Procedures)

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

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

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

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

Legal Reference:

#### EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 Comprehensive safety plan

32283.5 Bullying; online training

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

48900-48925 Suspension or expulsion

48985 Translation of notices

52060-52077 Local control and accountability plan

#### PENAL CODE

422.55 Definition of hate crime

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

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

653.2 Electronic communication devices, threats to safety

#### CODE OF REGULATIONS, TITLE 5

Comprehensive School Safety Plan



4600-4670 Uniform complaint procedures

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

110.25 Notification of nondiscrimination on the basis of age

COURT DECISIONS

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

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

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

Management Resources:

CSBA PUBLICATIONS

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

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

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

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

Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying Module

California's Social and Emotional Learning: Guiding Principles, 2018

Social and Emotional Learning in California: A Guide to Resources, 2018

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

Bullying at School, 2003

#### CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California K-12 Schools in Responding to Immigration Issues, April 2018

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

Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014

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

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

Dear Colleague Letter: Harassment and Bullying, October 2010

#### WEB SITES

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

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

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

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

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

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

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

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

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

#### Policy BASS LAKE JOINT UNION ELEMENTARY SCHOOL DISTRICT

adopted: June 19, 2019 Oakhurst, California

#### BOARD POLICY 5145.13 STUDENTS

##### RESPONSE TO IMMIGRATION ENFORCEMENT

The Board of Trustees is committed to the success of all students and believes that every school site should be a safe and welcoming place for all students and their families irrespective of their citizenship or immigration status.

District staff shall not solicit or collect information or documents regarding the citizenship or immigration status of students or their family members or provide assistance with immigration enforcement at district schools, except as may be required by state and federal law. (Education Code 234.7)

(cf. 5111 - Admission)

(cf. 5111.1 - District Residency)

No student shall be denied equal rights and opportunities nor be subjected to unlawful discrimination, harassment, intimidation, or bullying in the district's programs and activities on the basis of his/her immigration status. (Education Code 200, 220, 234.1)

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

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

The Superintendent or designee shall notify parents/guardians regarding their children's right to a free public education regardless of immigration status or religious beliefs and their rights related to immigration enforcement. (Education Code 234.7)

(cf. 5145.6 - Parental Notifications)

Consistent with requirements of the California Office of the Attorney General, the Superintendent or designee shall develop procedures for addressing any requests by a law enforcement officer for access to district records, school sites, or students for the purpose of immigration enforcement.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

Teachers, school administrators, and other school staff shall receive training regarding immigration issues, including information on responding to a request from an immigration officer to visit a school site or to have access to a student.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall report to the Board in a timely manner any requests for information or access to a school site by an officer or employee of a law enforcement agency for the purpose of enforcing the immigration laws. Such notification shall be provided in a manner that ensures the confidentiality and privacy of any potentially identifying information. (Education Code 234.7)

Legal Reference:

EDUCATION CODE

200 Educational equity

220 Prohibition of discrimination

234.1 Safe Place to Learn Act

234.7 Student protections relating to immigration and citizenship status

48204.4 Evidence of residency for school enrollment

48980 Parental notifications

48985 Notices to parents in language other than English

#### GOVERNMENT CODE

8310.3 California Religious Freedom Act

#### PENAL CODE

422.55 Definition of hate crime

627.1-627.6 Access to school premises, outsiders

#### UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

#### COURT DECISIONS

Plyler v. Doe, 457 U.S. 202 (1982)

Management Resources:

#### CSBA PUBLICATIONS

Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017

#### CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

#### WEB SITES

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

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

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

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

California Department of Justice: <http://www.justice.gov>

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

U.S. Immigration and Customs Enforcement: <https://www.ice.gov>

U.S. Immigration and Customs Enforcement, Online Detainee Locator System: <https://locator.ice.gov/odls>

#### Policy BASS LAKE JOINT UNION ELEMENTARY SCHOOL DISTRICT

adopted: October 10, 2018 Oakhurst, California



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

### **BOARD POLICY 0450 PHILOSOPHY, GOALS, OBJECTIVES, AND COMPREHENSIVE PLANS**

#### **COMPREHENSIVE SAFETY PLAN**

The Board of Trustees recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and to creating a positive learning environment that includes strategies for violence prevention and high expectations for student conduct, responsible behavior, and respect for others.

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

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 3515 - Campus Security)

(cf. 3515.2 - Disruptions)

(cf. 3515.3 - District Police/Security Department)

(cf. 3515.7 - Firearms on School Grounds)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5131.4 - Student Disturbances)

(cf. 5131.41 - Use of Seclusion and Restraint)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5136 - Gangs)

(cf. 5137 - Positive School Climate)

(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. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

The Superintendent or designee shall oversee the development of a districtwide comprehensive safety plan that is applicable to each school site. (Education Code 32281)

The comprehensive safety plan(s) shall be reviewed and updated by March 1 of each year and forwarded to the Board for approval. (Education Code 32286, 32288)

The Board shall review the comprehensive safety plan(s) in order to ensure compliance with state law, Board policy, and administrative regulation and shall approve the plan(s) at a regularly scheduled meeting.

(cf. 0500 - Accountability)

(cf. 9320 - Meetings and Notices)

By October 15 of each year, the Superintendent or designee shall notify the California Department of Education of any schools that have not complied with the requirements of Education Code 32281. (Education Code 32288)

#### Tactical Response Plan

Notwithstanding the process described above, any portion of a comprehensive safety plan that addresses tactical responses to criminal incidents that may result in death or serious bodily injury at the school site, including steps to be taken to safeguard students and staff, secure the affected school premises, and apprehend the criminal perpetrator(s), shall be developed by district administrators in accordance with Education Code 32281. In developing such strategies, district administrators shall consult with law enforcement officials and with representative(s) of employee bargaining unit(s), if they choose to participate.

When reviewing the tactical response plan, the Board may meet in closed session to confer with law enforcement officials, provided that any vote to approve the tactical response plan is announced in open session following the closed session. (Education Code 32281)

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

(cf. 9011 - Disclosure of Confidential/Privileged Information)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

#### Access to Safety Plan(s)

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282)

(cf. 1340 - Access to District Records)

However, those portions of the comprehensive safety plan that include tactical responses to criminal incidents shall not be publicly disclosed.

The Superintendent or designee shall share the comprehensive safety plans and any updates to the plans with local law enforcement, the local fire department, and other first responder entities. (Education Code 32281)

#### Legal Reference:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination

32260-32262 Interagency School Safety Demonstration Act of 1985

32270 School safety cadre

32280-32289 School safety plans

32290 Safety devices

35147 School site councils and advisory committees

35183 School dress code; uniforms

35291 Rules

35291.5 School-adopted discipline rules

41020 Annual audits

48900-48927 Suspension and expulsion

48950 Speech and other communication

49079 Notification to teacher; student act constituting grounds for suspension or expulsion

67381 Violent crime

GOVERNMENT CODE

54957 Closed session meetings for threats to security

PENAL CODE

422.55 Definition of hate crime

626.8 Disruptions

11164-11174.3 Child Abuse and Neglect Reporting Act

CALIFORNIA CONSTITUTION

Article 1, Section 28(c) Right to Safe Schools

CODE OF REGULATIONS, TITLE 5

11987-11987.7 School Community Violence Prevention Program requirements

11992-11993 Definition, persistently dangerous schools

UNITED STATES CODE, TITLE 20

7111-7122 Student Support and Academic Enrichment Grants

7912 Transfers from persistently dangerous schools

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

Management Resources:



## CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016

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, rev. 2011

Community Schools: Partnerships Supporting Students, Families and Communities, Policy Brief, October 2010

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2010

## CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Safe Schools: A Planning Guide for Action, 2002

## FEDERAL BUREAU OF INVESTIGATION PUBLICATIONS

Uniform Crime Reporting Handbook, 2004

## U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Practical Information on Crisis Planning: A Guide for Schools and Communities, January 2007

## U.S. SECRET SERVICE AND U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates, 2004

## WEB SITES

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

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

California Governor's Office of Emergency Services: <http://www.caloes.ca.gov>

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

Centers for Disease Control and Prevention: <http://www.cdc.gov/ViolencePrevention>

Federal Bureau of Investigation: <http://www.fbi.gov>

National Center for Crisis Management: <http://www.schoolcrisisresponse.com>

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

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

U.S. Secret Service, National Threat Assessment Center: <http://www.secretservice.gov/protection/ntac>

## Policy BASS LAKE JOINT UNION SCHOOL DISTRICT

adopted: March 13, 2019 Oakhurst, California

ADMINISTRATIVE REGULATIONS 0450 PHILOSOPHY, GOALS, OBJECTIVES, AND COMPREHENSIVE PLANS

COMPREHENSIVE SAFETY PLAN

Development and Review of Comprehensive School Safety Plan

The school site council shall consult with local law enforcement, the local fire department, and other first responders in the writing and development of the comprehensive school safety plan. When practical, the school site council shall also consult with other school site councils and safety committees. (Education Code 32281, 32282)

(cf. 0420 - School Plans/Site Councils)

The school site council may delegate the responsibility for developing a comprehensive safety plan to a school safety planning committee composed of the following members: (Education Code 32281)

1. The principal or designee
2. One teacher who is a representative of the recognized certificated employee organization
3. One parent/guardian whose child attends the school
4. One classified employee who is a representative of the recognized classified employee organization
5. Other members, if desired

(cf. 1220 - Citizen Advisory Committees)

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

Before adopting the comprehensive safety plan, the school site council or school safety planning committee shall hold a public meeting at the school in order to allow members of the public the opportunity to express an opinion about the plan. (Education Code 32288)

The school site council or safety planning committee shall notify, in writing, the following persons and entities of the public meeting: (Education Code 32288)

1. The local mayor
2. A representative of the local school employee organization
3. A representative of each parent organization at the school, including the parent teacher association and parent teacher clubs

(cf. 1230 - School-Connected Organizations)

4. A representative of each teacher organization at the school

(cf. 4140/4240/4340 - Bargaining Units)

5. A representative of the school's student body government
6. All persons who have indicated that they want to be notified

In addition, the school site council or safety planning committee may notify, in writing, the following entities of the public meeting: (Education Code 32288)

1. Representatives of local religious organizations

2. Local civic leaders

3. Local business organizations

(cf. 1700 - Relations Between Private Industry and the Schools)

#### Content of the Safety Plan

Each comprehensive safety plan shall include an assessment of the current status of any crime committed on campus and at school-related functions. (Education Code 32282)

The assessment may include, but not be limited to, reports of crime, suspension and expulsion rates, and surveys of students, parents/guardians, and staff regarding their perceptions of school safety.

(cf. 0500 - Accountability)

(cf. 0510 - School Accountability Report Card)

The plan shall identify 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, including all of the following: (Education Code 32282)

1. Child abuse reporting procedures consistent with Penal Code 11164-11174.3

(cf. 5141.4 - Child Abuse Prevention and Reporting)

2. Routine and emergency disaster procedures including, but not limited to:

a. Adaptations for students with disabilities in accordance with the Americans with Disabilities Act

(cf. 6159 - Individualized Education Program)

b. An earthquake emergency procedure system in accordance with Education Code 32282

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 3516.3 - Earthquake Emergency Procedure System)

c. A procedure to allow public agencies, 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

(cf. 1330 - Use of School Facilities)

(cf. 3516.1 - Fire Drills and Fires)

(cf. 3516.2 - Bomb Threats)

(cf. 3516.5 - Emergency Schedules)

(cf. 3543 - Transportation Safety and Emergencies)

3. Policies pursuant to Education Code 48915(d) for students who commit an act listed in Education Code 48915(c) and other school-designated serious acts that would lead to suspension, expulsion, or mandatory expulsion recommendations

(cf. 5131.7 - Weapons and Dangerous Instruments)

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

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

4. Procedures to notify teachers of dangerous students pursuant to Education Code 49079

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

5. A policy consistent with the prohibition against discrimination, harassment, intimidation, and bullying pursuant to Education Code 200-262.4

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

(cf. 1312.3 - Uniform Complaint Procedures)

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

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

6. If the school has adopted a dress code prohibiting students from wearing "gang-related apparel" pursuant to Education Code 35183, the provisions of that dress code and the definition of "gang-related apparel"

(cf. 5132 - Dress and Grooming)

7. Procedures for safe ingress and egress of students, parents/guardians, and employees to and from school

(cf. 5142 - Safety)

8. A safe and orderly school environment conducive to learning

(cf. 5137 - Positive School Climate)

9. The rules and procedures on school discipline adopted pursuant to Education Code 35291 and 35291.5

(cf. 5144 - Discipline)

10. Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on campus and at school-related functions

Among the strategies for providing a safe environment, the comprehensive safety plan may also include:

1. Development of a positive school climate that promotes respect for diversity, personal and social responsibility, effective interpersonal and communication skills, self-esteem, anger management, and conflict resolution

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

2. Disciplinary policies and procedures that contain prevention strategies, such as strategies to prevent bullying, hazing, and cyberbullying, as well as behavioral expectations and consequences for violations

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5131 - Conduct)

3. Curriculum that emphasizes prevention and alternatives to violence, such as multicultural education, character/values education, social and emotional learning, media analysis skills, conflict resolution, community service learning, and education related to the prevention of dating violence

(cf. 6142.3 - Civic Education)

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

(cf. 6142.8 - Comprehensive Health Education)

4. Parent involvement strategies, including strategies to help ensure parent/guardian support and reinforcement of the school's rules and increase the number of adults on campus

(cf. 1240 - Volunteer Assistance)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

5. Prevention and intervention strategies related to the sale or use of drugs and alcohol which shall reflect expectations for drug-free schools and support for recovering students

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.61 - Drug Testing)

(cf. 5131.62 - Tobacco)

(cf. 5131.63 - Steroids)

6. Collaborative relationships among the city, county, community agencies, local law enforcement, the judicial system, and the schools that lead to the development of a set of common goals and community strategies for violence prevention instruction

7. District policy related to possession of firearms and ammunition on school grounds

(cf. 3515.7 - Firearms on School Grounds)

8. Measures to prevent or minimize the influence of gangs on campus

(cf. 5136 - Gangs)

9. Procedures for receiving verification from law enforcement when a violent crime has occurred on school grounds and for promptly notifying parents/guardians and employees of that crime

(cf. 5116.1 - Intradistrict Open Enrollment)

10. Assessment of the school's physical environment, including a risk management analysis and development of ground security measures such as procedures for closing campuses to outsiders, installing surveillance systems, securing the campus perimeter, protecting buildings against vandalism, and providing for a law enforcement presence on campus

(cf. 1250 - Visitors/Outsiders)

(cf. 3515 - Campus Security)

(cf. 3515.3 - District Police/Security Department)

(cf. 3530 - Risk Management/Insurance)

(cf. 5112.5 - Open/Closed Campus)

(cf. 5131.5 - Vandalism and Graffiti)

11. Guidelines for the roles and responsibilities of mental health professionals, community intervention professionals, school counselors, school resource officers, and police officers on school campuses. Guidelines may include, but are not limited to, the following:

a. Strategies to create and maintain a positive school climate, promote school safety, and increase student achievement

b. Strategies to prioritize mental health and intervention services, restorative and transformative justice programs, and positive behavior interventions and support

c. Protocols to address the mental health care of students who have witnessed a violent act at any time, including, but not limited to, while on school grounds, while coming or going from school, during a lunch period whether on or off campus, or during or while going to or coming from a school-sponsored activity

12. Strategies for suicide prevention and intervention

(cf. 5141.52 - Suicide Prevention)

13. Procedures to implement when a person interferes with or disrupts a school activity, remains on campus after having been asked to leave, or creates a disruption with the intent to threaten the immediate physical safety of students or staff

(cf. 3515.2 - Disruptions)

14. Crisis prevention and intervention strategies, which may include the following:

a. Identification of possible crises that may occur, determination of necessary tasks that need to be addressed, and development of procedures relative to each crisis, including the involvement of law enforcement and other public safety agencies as appropriate

(cf. 3515.5 - Sex Offender Notification)

(cf. 5131.4 - Student Disturbances)

(cf. 5131.41 - Use of Seclusion and Restraint)

b. Threat assessment strategies to determine the credibility and seriousness of a threat and provide appropriate interventions for the potential offender(s)

c. Assignment of staff members responsible for each identified task and procedure

d. Development of an evacuation plan based on an assessment of buildings and grounds and opportunities for students and staff to practice the evacuation plan

e. Coordination of communication to schools, Board of Trustees members, parents/guardians, and the media

(cf. 1112 - Media Relations)

(cf. 9010 - Public Statements)

f. Development of a method for the reporting of violent incidents

g. Development of follow-up procedures that may be required after a crisis has occurred, such as counseling

15. Staff development in violence prevention and intervention techniques, including preparation to implement the elements of the safety plan

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

16. Environmental safety strategies, including, but not limited to, procedures for preventing and mitigating exposure to toxic pesticides, lead, asbestos, vehicle emissions, and other hazardous substances and contaminants

(cf. 3510 - Green School Operations)

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

(cf. 3514.2 - Integrated Pest Management)

Regulation BASS LAKE JOINT UNION SCHOOL DISTRICT

approved: March 13, 2019 Oakhurst, California

## **Safety Plan Appendices**



**Emergency Contact Numbers**

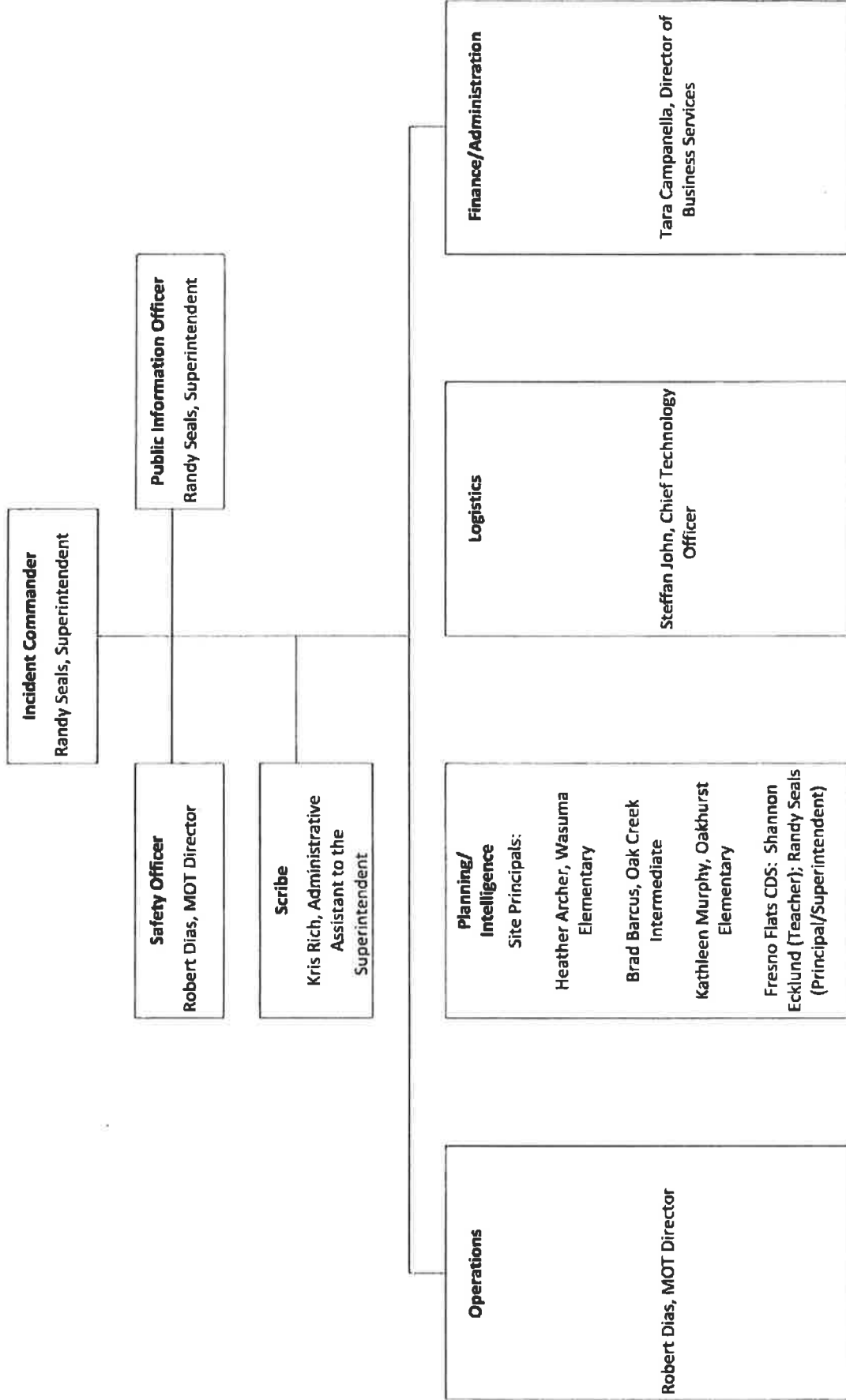
**Utilities, Responders and Communication Resources**

| Type                           | Vendor                                     | Number         | Comments                |
|--------------------------------|--|----------------|-------------------------|
| Law Enforcement/Fire/Paramedic | Emergency Management System (EMS)          | 911            | Use for ALL emergencies |
| Law Enforcement/Fire/Paramedic | Madera County Sheriff's Department         | (559) 658-2555 |                         |
| Emergency Services             | Madera County Office of Emergency Services | 1-800-560-4911 |                         |
| Law Enforcement/Fire/Paramedic | CAL FIRE Madera County                     | (559) 675-7799 |                         |
| Law Enforcement/Fire/Paramedic | Sierra Ambulance                           | (559) 642-0650 |                         |
| Public Utilities               | Sierra Telephone                           | (559) 683-4611 |                         |
| Public Utilities               | Pacific Gas & Electric                     | 1-877-660-6789 |                         |
| Local Hospitals                | Valley Children's Hospital                 | (559) 353-3000 |                         |
| Law Enforcement/Fire/Paramedic | California Highway Patrol                  | (559) 658-6590 |                         |
| Law Enforcement/Fire/Paramedic | California Department of Fish & Wildlife   | (559) 243-4005 |                         |

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

| <b>Activity Description</b><br>(i.e. review steps, meetings conducted, approvals, etc) | <b>Date and Time</b> | <b>Attached Document</b><br>(description and location)  |
|--|----------------------|---|
| District Leadership Team meeting   | August 9, 2018       | Reviewed and modified various components of Comprehensive Safety Plan, including CATAPULT EMS.  |
| District Leadership Team meeting   | September 5, 2018    | CATAPULT EMS; Safety Drills planned   |
| Great American Shakeout Drill 2018   | October 11, 2018     | Earthquake Drill; shelter in place; evacuation drills---All School Sites---drills conducted and then responses analyzed to modify/update safety plan as appropriate.  |
| District Leadership Team meeting   | November 1, 2018     | Review of recent safety drills; review & modify components of Comprehensive Safety Plan.  |
| Counseling & Psychological Services team meeting                                       | January 18, 2020     | Review various issues and services provided; suggested updates for Comprehensive Safety Plan.   |
| CATAPULT EMS Demonstration meeting   | January 22, 2019     |   |
| CATAPULT EMS meeting   | February 6, 2019     | Reviewed the program to determine feasibility for subscription and adoption for use.  |
| District Safety Committee meeting  | March 3, 2019        | Reviewed various elements of the Comprehensive Safety Plan; continued work on revisions.  |
| Mountain Area School Districts/Madera County Sheriff's Department joint meeting        | December 12, 2019    | Met with law enforcement to review components of each district's Comprehensive School Safety Plans. Superintendents from Bass Lake JUESD, Yosemite Unified, and Chawanakee Unified were present and participated in an effort to create consistency in response for MCSO. |
| District Safety Committee team meeting   | March 11, 2020       | Review & approval of District's Comprehensive Safety Plan.  |

**Bass Lake School District Incident Command System**



**First Aid & Search  
Teacher A**

Dustin Ginter, District Nurse

Janele Nielsen, District Health  
Aide

**Student Release &  
Accountability  
TeacherB**

Wasuma: Heather Archer &  
Bridget Barnett

OCI: Brad Barcus & Marie  
Smith

OES: Kathy Murphy & Yvonne  
Horton

## **Incident Command Team Responsibilities**

### **Standardized Emergency Response Management System Overview**

The California Standardized Emergency Management System (SEMS) is designed to centralize and coordinate emergency response through the use of standardized terminology and processes. This greatly facilitates the flow of information and resources among the agencies participating in response to an emergency. SEMS consists of five functions:

The National Incident Management System (NIMS) is a nationwide system used by law enforcement, firefighters, and other disaster responders in disaster events. The purpose of NIMS is to aid in communications and response by providing a common communication and management system. NIMS and Standardized Emergency Management System (SEMS) are basically the same.

The basic framework of SEMS/NIMS incorporates the use of the Incident Command System (ICS). The ICS is designed to be flexible and adaptable to meet the emergency management needs of all agencies. ICS is a management system and provides the organizational framework and acts as an umbrella under which all response agencies may function in an integrated fashion.

During an emergency, the schools in the Bass Lake Joint Union Elementary School District will utilize the ICS to facilitate a coordinated response by the Incident Commander, the Incident Command Team, and representatives from community responders. An Incident Command Center will be utilized when necessary.

#### **Activation of an Incident Command Center:**

An Incident Command Center will be activated when an emergency situation occurs of such magnitude that it will require a large commitment of resources over an extended period of time.

#### **Incident Command Center Locations:**

The command center location will be determined depending on the emergency situation and the facility/site affected. Once a unified command is established with responding agencies, the command center will be determined by the overall Incident Commander.

#### **Incident Command Team:**

##### **Incident Commander---Principal/Superintendent**

The Incident Commander (IC) is responsible for the overall management of the site responsibilities during the emergency. The IC reports to the unified incident command center as soon as possible and coordinates with the Unified Command. The IC's overall responsibilities are for the care, welfare, safety, and security of all personnel. The IC determines the incident objectives and strategies, and establishes the immediate priorities to achieve objectives. The IC develops and authorizes the incident action plan to carry out objectives, and ensures that adequate safety measures are in place to protect employees and students. The IC authorizes the release of information to the news media in coordination with the Public Information Officer (PIO).

#### **Incident Commander Checklist:**

##### **Start-up Actions:**

1. Obtain the IC equipment cache
2. Obtain copy of district telephone list
3. Activate functions (positions) as needed
4. Notify PIO of event
5. Appoint liaison
6. Assess type and scope of emergency

**7. Determine threat to human life and structures**

**Operational Duties:**

- 1. Continue to monitor and assess total situation**
- 2. Check with section chiefs for periodic updates**
- 3. Reassign personnel as needed**
- 4. Consider areas with additional security/safety needs**
- 5. Develop and communicate revised incident action plans as needed**
- 6. Authorize release of information**
- 7. Utilize IC back up; plan and take regular breaks, 5-10 minutes/hour, relocate away from the Command Post**
- 8. Plan regular breaks for all staff and volunteers. Take care of your caregivers!**
- 9. Release staff/volunteers as appropriate**
- 10. Remain on site and in charge until relieved or incident concludes.**

**Closing down:**

- 1. Authorize deactivation of emergency response activities/personnel as appropriate**
- 2. Ensure that any open actions not yet completed will be taken care of after deactivation.**
- 3. Ensure the return of all equipment and reusable supplies to Logistics**
- 4. Close out all logs. Ensure that all logs, reports and other relevant documents are completed.**
- 5. Proclaim termination of the emergency with appropriate notifications.**

**Equipment and Supplies:**

- 1. Maps**
- 2. Disaster response forms**
- 3. Emergency/disaster plan**
- 4. Job descriptions clipboards**
- 5. Appropriate identification**
- 6. Command Post organizer**
- 7. Battery-operated AM/FM radio with extra batteries**
- 8. Bullhorn**
- 9. Two-way radio**

#### Public Information Officer (PIO) - Superintendent

The Public Information Officer is responsible for handling the media and developing press releases under the direction of the Incident Commander.

#### PIO Responsibilities:

1. Determine from the Incident Commander if there are any limits on information release and obtain approval for all media releases.
2. Develop incident relevant information for use in media briefings.
3. Notify media of the activities and conduct media briefings.
4. Arrange for tours, interviews or briefings that may be required.
5. Maintain current information summaries and/or displays on the incident and provide information on incident status and changes.

#### Media Release Policy:

The public has the right and need to know important information related to emergencies at any District site as soon as it is available for release.

The PIO acts as the official spokesperson for the Bass Lake Joint Union Elementary School District in any emergency situation. If the situation includes a PIO from community responders, they will work jointly with one PIO designated as the official spokesperson for the incident.

News media can play a key role in assisting the ICS by releasing emergency/disaster related information to the staff, general public and parents. Information released must be consistent, accurate and timely.

#### Public Information Officer Checklist:

##### Start-up actions:

1. Put on identifying "PIO" identification. Activate key team members
2. Determine a possible "news center" site as a media reception area (located away from the Command Post). Get approval from the IC. Send team of media escorts to the center.
3. Consult with IC and/or responder PIOs to coordinate information release.
4. Assess the situation and obtain statement from IC. Record the statement, if possible.
5. Access current media list, cover letters, email addresses and fact sheets.
6. Send out "ALL STAFF" messages describing desired action.
7. Open and maintain a position log of your actions and all communications. If possible, record media briefings.
8. Keep up to date on the situation
9. Provide media with escorts if possible.
10. Statements must be approved by the IC, given out at regular intervals, and should reflect accurate information relayed in a reassuring manner and avoiding speculative comments.

11. Incident or disaster cause and time of origin.

12. Size and scope of incident

13. Current situation and requested actions – condition of the school site, evacuation progress, care being given, injuries, student release location, lock down procedures, etc.

14. Do not release names unless approved by the IC.

15. Resources in use.

16. Best routes to and from affected site.

17. Background information if appropriate

18. Time of next update release.

19. Be complete and truthful, always considering confidentiality and emotional impact. Avoid speculation, bluffing, lying, talking “off the record,” arguing, etc. Avoid use of the phrase “no comment.” Remember that after the incident is over, Bass Lake Joint Union Elementary School District will rely heavily on the goodwill of the media to relay its messages.

#### Operational Duties:

Remind all school site/staff volunteers to refer all questions from media, students, parents or general public to the PIO.

1. Get updates from the IC frequently.

2. Utilize PIO backup (district secretary) and take regular breaks, 5-10 minutes per hour.

3. Ensure announcements and other information are translated into other languages as needed.

4. Monitor news broadcasts during the incident. Correct any misinformation heard. Create a website link from the Bass Lake Joint Union Elementary School District home page to Incident Press Releases.

5. At the Incident Commander’s direction, release PIO staff no longer needed.

6. Return equipment and reusable supplies to Logistics.

7. Close out all logs.

8. Conduct an internal and external debriefing.

#### Aftermath:

1. Remain updated on any subsequent actions taken.

2. Consult with the district legal counsel, if appropriate, before releasing any information.

3. If allowed, arrange for media interviews with Bass Lake Joint Union Elementary School District personnel.

4. Send follow-up releases highlighting stories such as “acts of heroism” to media outlets.

5. Send follow-up “All staff” update

6. Update the Website with same information.



#### Liaison Officer - Principal

This person acts as a liaison between the district and other agencies and organizations to coordinate responsibilities and functions of those agencies with emergency management of the disaster.

#### Liaison Officer Responsibilities:

1. If a unified command is established, then act as the liaison between District and community responders/agencies.
2. Provide a point of contact for assisting/cooperating outside agency representatives.
3. Provide periodic update briefings to agency representatives, as necessary.

#### Liaison Officer Checklist:

##### Start-Up Actions:

1. Obtain list of contacts for assisting/cooperating outside agency representatives.
2. Provide periodic update briefings to agency representatives, as necessary.
3. Utilize Liaison back up; plan and take regular breaks, 5-10 minutes/hour.
4. Maintain activity log; identify yourself as the liaison officer on the organizational chart in the Incident Command Center.
5. Read the entire Action Checklist
6. Obtain a briefing from the Incident Commander
7. Assign staff to the assistant liaison position as necessary.
8. Put on ID
9. Obtain equipment and supplies.

##### Operational Duties:

1. If no unified command has been established, and as directed by the Incident Commander, report to the fire/police command center and establish communication between the district Incident Commander and the community responder Incident Commander.
2. Maintain communications until the incident is closed or until a unified command is established.
3. If a unified command is established, then act as the liaison between the district and the community responder/agencies.
4. Provide a contact point, as needed.

##### Closing Down:

1. At the Incident Commander's direction, direct staff members to sign out, release staff and deactivate the Liaison Officer position.
2. Return equipment and reusable supplies.
3. Close out Activity Log and return to administration and finance officer.

##### Equipment and Supplies:

1. ID
2. Clipboard
3. Paper, pens
4. Two-way radio

#### Incident Log Scribe – Superintendent's or Principal's Secretary

The Incident Log Scribe's function is to keep a written record of all communications and actions related to the incident. The scribe attaches to the Incident Commander and records all appropriate information. Other functions may also be assigned a scribe.

#### Incident Log Scribe's Responsibilities:

Keep all logs and paperwork related to activities conducted at the ICC including staffing, meeting notes, action plans designed, etc.

#### Incident Log Scribe's checklist:

##### Start-Up Actions:

1. Obtain equipment and supplies
2. Identify self to the Incident Commander
3. Put on ID

##### Operational Duties:

1. To team with the Incident Commander or other assigned personnel
2. Document in writing all actions and communications (including the time) ordered and received by the Incident Commander or other assigned personnel.

##### Closing Down:

1. Transcribe notes; make copies of transcription and original notes and keep as backup; turn in transcribed notes to the Incident Commander or Administration/Finance Chief, as directed.
2. Return equipment and reusable supplies; replace supplies as needed.

##### Equipment and Supplies:

1. ID
2. Clipboard
3. Pens, pencils, paper
4. Flashlight/reading light
5. Watch or stopwatch

#### Operations Section – MOT Director & Department

The Operations Section performs the actual service functions required to control and/or respond to the incident. The Operations Section works in conjunction and cooperation with the responding agencies.

**Operations Responsibilities:**

1. Assists in development and supervises the plan's implementation
2. Manages emergency operations and services
3. Requests resources needed to implement the Operation's Section goals as a part of the Incident Action Plan development
4. Evaluates risks related to emergency operations and employee safety.

**Operations Chief (MOT Director) checklist:**

**Responsibilities:**

1. Management of all operations directly applicable to the primary mission.
2. Direct the preparation of unit operational plans, request or release resources, make expedient changes to the Incident Action Plan as necessary, and report such to the Incident Commander.
3. Evaluate and act on operations information.
4. Decide on a priority basis what must be done and keep Incident Command informed of pertinent conditions and/or situations.
5. Coordinate activities with Planning/Intelligence, Logistics, and Finance / Administration as necessary.

**Start-Up Actions:**

1. Check with Incident Commander for situation briefing.
2. Obtain necessary equipment and supplies from Logistics
3. Put on position identifier (vest, ID badge, hard hat)

**Operational Duties:**

1. Establish the Operations Section and develop appropriate action plans.
2. Assume the duties of all Operations positions until staff is available and assigned
3. Determine needs and request resources.
4. As personnel are assigned, brief them on the situation and supervise their activities
5. Activate and deactivate operational strike teams as needed.
6. Report information about activities, events, and occurrences to the Incident Commander and/or appropriate section chiefs.
7. Consider areas with additional security/safety needs.
8. Make sure that Operations staff members are following standard procedures, using appropriate safety gear, and documenting their activities.
9. Schedule breaks and reassign Operations staff within the section as needed.

10. Utilize Operations back up; plan and take regular breaks, 5-10 minutes/hour.

11. Maintain activity log

Closing Down:

1. At the Incident Commander's direction, release Operations staff no longer needed. Direct staff members to sign out.

2. Return equipment and reusable supplies to Logistics.

3. When authorized by Incident Commander, deactivate the section and close out all logs. Provide logs and other relevant documents to the Incident Commander Scribe.

Equipment and Supplies:

1. Vest

2. ID badge

3. Cell phone

4. 800 MHz radio

5. VHF radio

6. Bullhorn

7. Aluminum clipboard with forms

8. Paper, pen

9. Floor-plan book

10. 11X17 aerial photo of campus

11. Emergency vehicle

Planning/Intelligence Section

The Planning Section collects, evaluates, processes, and disseminates information for use at the incident and assists the Incident Commander in developing an Incident Action Plan.

Planning/Intelligence Responsibilities:

1. Collect and process situational information about the incident.

2. Assists in the preparation of the Action Plan

3. Establishes information requirements and reporting schedules for planning

4. Determines need for any specialized resources in support of the incident and requests the Logistics section to provide it.

Start-Up Actions:

1. Check in with Incident Commander for situation briefing

2. Obtain necessary equipment and supplies from Logistics

3. Put on position identifier (vest, ID badge)

**Operational Duties:**

1. Collects and processes situational information about the incident

2. Assists IC in writing the Action Plan

3. Establishes information requirements and reporting schedules for Planning

4. Determines need for any specialized resources in support of the incident and request the Logistics section to provide it.

5. Reports any significant changes in incident status

6. Reassign out-of-service personnel already on-site to the IC organizational positions as necessary.

7. As personnel are assigned, brief them on the situation and supervise their activities

8. Assemble information on alternative strategies

9. Consider areas with additional security/safety needs.

10. Evaluate need to communicate with other district sites

11. List key issues in section and how to resolve them

12. Determine the need for any specialized resources in support of the incident

13. Utilize Planning back up; plan and take regular breaks, 5-10 minutes/hour.

14. Maintain activity log.

**Aftermath:**

1. Assist IC in developing plan for internal and external aftermath.

2. Access resources needed e.g.: Counseling support, county chaplaincy, other needs

**Closing Down:**

1. At the Incident Commander's direction, release staff no longer needed. Have staff members sign out.

2. Return equipment and reusable supplies to Logistics

3. When authorized by the Incident Commander, deactivate the section and close out all logs. Provide logs and other relevant documents to the Incident Commander Scribe.

**Equipment and Supplies:**

1. Vest

2. ID badge

3. Cell phone
4. Aluminum clipboard with forms
5. Paper, pen
6. List of all available student system programs and appropriate access codes
7. Emergency contact information list of all employees
8. Campus phone directory

#### Logistics Section

The Logistics Section provides physical and human resources to the Operations Section.

#### Logistics' Responsibilities:

1. Anticipates, identifies and locates incident service and support requirements
2. Supervises and requests additional resources (internal and external) as needed
3. Coordinates all requests for employees and equipment from other sections

#### Logistics Chief check list:

#### Logistics Chief Responsibilities:

1. Provides facilities, services, personnel, equipment and materials in support of the incident.

#### Start-Up Actions:

1. Check in with Incident Commander for situation briefing
2. Open supplies container or other storage facilities as directed by the IC.
3. Put on position identifier, such as vest, if available
4. Begin distribution of supplies and equipment as needed
5. Ensure that the Command Post and other facilities are set up as needed.

#### Operational Duties:

1. As (or if) staff is assigned, brief them on the situation and supervise their activities utilizing the position checklists.
2. Coordinate supplies, equipment and personnel needs with the IC
3. Ensure sufficient fuel supply such as gasoline, diesel, propane, kerosene or other fuel types.
4. During an emergency of extended duration, ensure adequate supply of food and potable water to emergency workers and people who have been relocated to shelters.
5. Maintain security of cargo container, supplies and equipment as directed by the IC.
6. Utilize Logistics back up, plan and take regular breaks, 5-10 minutes/hour.

**Closing Down:**

1. At the IC's direction, deactivate the section and close out all logs.
2. Verify that closing tasks of all Logistics positions have been accomplished. Secure all equipment and supplies.

**Equipment and Supplies:**

1. Two-way radio
2. Job description clipboard
3. Paper, pens
4. Cargo container or other storage facility and all emergency supplies on campus
5. Clipboards with volunteer sign-in sheets
6. Forms (inventory of emergency supplies on campus, site status report, communications log, message forms)

**Finance/Administration/Legal Section Chief – District Chief Financial Officer**

**Finance/Administration/Legal Chief Responsibilities:**

1. Supervises all financial aspects of the disaster
2. Coordinates with Operations, Planning and Logistics sections as appropriate
3. Prepares proclamations, emergency ordinances, etc.
4. Advises Board of Trustees of legal matters as needed.
5. Commences legal proceedings and enforces emergency actions.

**Start-Up Actions:**

1. Check in with Incident Commander for situation briefing
2. Put on position identifier (vest, ID badge)
3. Obtain briefing from the Incident Commander
4. Set up work station

**Operational Duties:**

1. Open and maintain section logs
2. Confer with IC on delegation of purchasing authority
3. Determine appropriate purchasing limits
4. Meet with Operations and Logistics Section Chiefs to determine financial and administrative support needs.
5. Determine future Finance/Administration Section personnel and support needs

6. Prepare proclamations, emergency ordinances and other legal documents required by the Board of Trustees and Director of Emergency Services

7. Advise the Board of Trustees and the IC Team of the legality, legal implications and politics of contemplated emergency actions.

8. Develop rules, regulations and laws required for acquisition and control of critical resources.

9. Develop the necessary ordinances and regulations to provide legal basis for evacuation and/or population control

10. Ensure investigation of all accidents and prepare necessary claims

11. Document for cost reimbursement

12. Ensure section logs are completed

13. Participate in Action Planning meetings

14. Utilize back up; plan and take regular breaks, 5-10 minutes/hour

#### Closing Down:

1. Deactivate the section and close out logs when authorized by the IC

2. Assign any open actions to appropriate personnel

#### Equipment and Supplies:

1. Vest

2. Clipboard

3. Paper, pens

4. Radio communications

#### General Concept of Operations

##### Pre-emergency period:

The pre-emergency period is divided into two phases as follows:

##### Normal Preparedness Phase

Site-specific evacuation plans are prepared and maintained for identified potentially hazardous areas. Data will be collected for use in the direction of evacuation operations: Population, special facilities, transportation resources and populations requiring transportation assistance.

##### Increased Readiness Phase

Orientation sessions will be held to brief appropriate officials regarding evacuation plans. To the extent possible, traffic control points, assembly points and movement points will be reconfirmed. Agreements with providers of transportation resources will be reviewed and confirmed.

##### Emergency period:



The emergency period is divided into three phases as follows:

#### Pre-Impact Phase:

At this time, evacuation operations will become the highest priority if a decision is made to evacuate a threatened area. The area to be evacuated will be determined based on pre-identified hazard areas or by estimates of the threatened area. Projections of the threatened area may change as conditions change, thus changing the evacuation strategy. For some hazards, uncertainty regarding the potential impact may require evacuation of a larger area than is eventually affected by the hazard.

#### Immediate Impact Phase:

Wider spread evacuation may be required due to conditions created by the impact of the disaster agent or event. The affected area will be determined from reports by field teams on actual hazard conditions. The selection of evacuation routes will require information on the condition of the road network. Movement operations may be hindered by effects of the event and by other high priority demands for personnel and resources. Special procedures may be required to limit exposure if the area has been contaminated

#### Sustained Emergency Phase:

Emphasis is place on providing security and access control of evacuated areas and accomplishing additional evacuations as required.

#### Traffic Control

Traffic controls will be established at key intersections and access points to major evacuation routes as needed to expedite the flow of traffic. Communications will be maintained with traffic control personnel to monitor the progress of the evacuation, to coordinate traffic controls and to implement changes in evacuation strategy that may be required.

#### Access Control

As the area is being evacuated, access controls must be established. Security of the vacated areas will be obtained by establishing manned Access Control Posts and barricades at key locations around the perimeter. Any unmanned barricades will be patrolled periodically.

#### Re-entry

Re-entry into evacuated and/or hazardous areas will be allowed at the discretion of the IC after consultation with the ICC liaison, management team and technical experts. Controlling re-entry protects the public from exposure and injures and protects unattended property within the evacuated area.

#### Emergency Data Back-Up Plan

Data that is critical to the district and its departments may be lost in the event of a disaster. Technology services is responsible for ensuring student, employee, financial, and other relevant district data will be backed-up for retrieval purposes in the event of an emergency.

#### Team Supplies and Equipment

- Copy of school's Emergency Procedures (principal's secretary)
- Campus map (principal's secretary)
- Master keys (principal's secretary, also all administrators)
- Copies of staff and student rosters (principal's secretary/attendance clerk)
- Hand-held radios (principal's secretary)
- Bullhorn (vice principal)
- First aid kit (principal's secretary)
- Clipboard, paper, pens (principal's secretary)
- Large campus map (Safety binder)

#### Team Assembly Location

Inside – Main office

Outside – Incident Command

Team members will initially meet in the main office, if possible. If the inside location is unavailable, team members will meet at the outside location.

#### First Aid/Medical Team

The First Aid/Medical Team is responsible for ensuring that first aid supplies are available and properly administered during an emergency.

#### First Aid/Medical Team Roles and Responsibilities:

##### First Aid/Medical Team Leader

The First Aid/Medical Team Leader is responsible for directing team activities by periodically interacting with the Incident Commander to determine medical needs and planned actions. The First Aid/Medical Team Leader is also responsible for collecting the Injury and Missing Persons Report from team members and making these reports readily available to the Incident Commander. Specific duties of the First Aid/Medical Team Leader may include:

- Assigning first aid personnel and assessing available inventory of supplies and equipment
- Designating and setting up the first aid/medical treatment areas with access to emergency vehicles
- Determining the need for skilled medical assistance, and overseeing care, treatment, and assessment of patients
- Periodically keeping the Incident Commander informed of overall status.
- Completing the Injury and Missing Persons Report

##### First Aid/Medical Team Members

The members of the First Aid/Medical Team are responsible for assessing injuries and administering necessary first aid and medical treatment as indicated during the emergency. Specific duties of the First Aid/Medical Team may include:

- Setting up first aid area, triage and/or temporary morgue
- Keeping accurate records of care given and tagging each of the injured with name, address, injury and any treatment rendered
- Reporting deaths immediately to First Aid/Medical Team Leader

#### Supplies and Equipment

NOTE: Medical supplies are kept in the School Office/Health Office.

#### Team Assembly Location:

Inside – Health Aid Office

Outside – Incident Command Site

Team members will initially meet at the inside location. If the inside location is unavailable, team members will meet at the outside location. If needed, the cafeteria or gym can be used for triage/care/morgue. These locations have bathrooms, running water, and easy access to emergency vehicles.

#### Psychological First Aid Team

The Psychological First Aid Team is responsible for the caring and safety of all students on campus during an emergency. It also provides psychological first aid as needed during and immediately after an emergency.

**Psychological First Aid Team Roles and Responsibilities:**

**Psychological First Aid Team Leader:**

The Psychological First Aid Team Leader is responsible for directing team activities and periodically interacting with the Incident Commander to identify problems and report status. The leader is also responsible for assigning personnel as needed.

**Psychological First Aid Team Members:**

The members of the Psychological First Aid Team are responsible for monitoring the safety and well-being of the students and staff in the Assembly Area. The Psychological First Aid Team will direct all external requests for information to the Public Information Officer. Specific duties of the members of the Psychological First Aid Team may include:

Administering minor first aid and psychological first aid as needed

Supporting the Release Gate Team as needed

Coordinating with the Incident Commander to provide water and food to students and staff when necessary

Providing reassurance to students

Updating records of the number of students and staff

**Supplies and Equipment:**

Hand-held radio (principal's secretary)

First aid kit (principal's secretary)

Paper, pens, pencils

**Team Assembly Locations:**

Inside – Main Office

Outside – Front fenced Parking lot

Student Location -- Cafeteria

Team members will initially meet at the inside location. If the inside location is not available, they will meet at the outside location.

**Search and Rescue Team:**

The Search and Rescue Team (SAR) is responsible for preparing for and performing search and rescue operations during an emergency. There may be two or more SAR Teams.

**Search and Rescue Team Assignments:**

Search and Rescue Team Leader: Madera County Sheriff's Department SAR Team

Alternate Team Leader: California Highway Patrol

SAR Team 1 Members: MCSO

SAR Team 2 Members: MCSO

#### Search and Rescue Team Roles and Responsibilities:

##### Search and Rescue Team Leader:

The SAR Team leader is responsible for directing team activities and keeping the Incident Commander informed of overall status. Specific duties of the SAR Team Leader may include:

Obtaining briefings from the Incident Commander noting injuries and other situations that require a response;

Assigning and recording teams based on available manpower, minimum of two (2) persons per team;

Updating teams' report on site map and recording exact location of damage and triage tally.

##### Search and Rescue Team Members:

The members of the SAR Team are responsible for performing search and rescue operations during an emergency. Specific duties of the members of the SAR Team may include:

Searching assigned area, reporting gas leaks, fires, or structural damage to team leader upon discovery;

Shutting off gas or extinguishing fires as appropriate by Maintenance Department;

Periodically reporting to the team leader on location, number and condition of injured;

Conducting pre-established search and rescue patterns, checking each classroom, office, storage room, auditorium and other rooms;

Sealing off and posting areas where hazardous conditions exist;

Contacting security/utilities team (maintenance department) to secure the building for reentry after the search.

##### Supplies and Equipment

Work and latex gloves (custodial room)

Hard hat (shops)

2-way radio (Maintenance Department has their own issued to them)

Map indicating search plan (in Safety Plan)

CO2 fire extinguisher (all classrooms)

Water-type fire extinguishers (in kitchen)

Hoses (no fire hoses but Maintenance Department has several regular hoses)

Water bib keys (all custodians and maintenance department workers have keys issued)

Bolt cutters (Maintenance Department)

Shovels (Maintenance Department)

Ropes (Maintenance Department)

Goggles (shop)

Flashlight (Maintenance team members have one each)

Dust masks (shop)

Pry bar (Maintenance Department)

Pencils (Maintenance Department)

Duct tape (Maintenance Department)

Caution tape (Maintenance Department)

Masking tape (Maintenance Department)

Team Assembly Locations:

Inside – MOT Office

Outside – Incident command

Team members will initially meet at the inside location. If the inside location is not available, they will meet at the outside location.

Security/Utilities Team:

The Security/Utilities Team (Maintenance Department) is responsible for the security of the school site and its population during an emergency. The Security/Utilities Team will coordinate activities with the Incident Commander as required. Close coordination with the Reunion Gate Team is necessary in order to safely reunite students with their parents or lawful guardian. The Security/Utilities team is also responsible for initiating short-term repairs and other necessary actions during an emergency. The effective response of the Security/Utilities Team in shutting down facility air handling systems, and gas, power, and water supplies can be vital in minimizing damage to school facilities. This team includes participation by the custodial and cafeteria staffs.

Security/Utilities Team Roles and Responsibilities:

Security/Utilities Team Leader:

The Security/Utilities Team Leader is responsible for directing team activities and interacting with the Incident Commander to identify problems and report status. The team leader is also responsible for contacting local utilities (water, electricity, gas, sewer) as needed.

Security/Utilities Team Member:

The members of the Security/Utilities Team are responsible for securing the school and reporting that the campus is in "lock-down" to the Incident Commander. They are also responsible for surveying all utilities and taking appropriate actions to shut off gas, water, and electricity. The team will direct all external requests for information to the Public Information Officer (Superintendent). Specific duties of the members of the Security/Utilities Team may include:

Locking all external gates and doors; unlocking gates when appropriate

Stationing one team member at the main entrance to the school to direct emergency vehicles to area(s) of need and to greet parents

Keeping students and staff out of buildings, as necessary

Assisting at Reunion Gate as appropriate

Checking emergency water supply and making it ready for distribution

Setting up temporary sanitation areas (portable toilets)

Helping with first aid and setting up temporary morgue (if necessary)

Preparing and distributing food as directed by the Incident Commander

Assisting the First Aid/Medical Team in comforting students as needed

**Supplies and Equipment:**

Master keys (Principal's Office or MOT Office)

Hand-held radio (principal's secretary)

Copy of the school's Emergency Procedures (principal's secretary)

Large durable sign for providing directions and information

Utility shut-off tools (Maintenance Department)

Custodial and food supply inventories (cafeteria and custodial room)

Safety binder containing site maps (all team leaders)

**Supply/Equipment Team:**

The Supply/Equipment Team is responsible for ensuring the availability and delivery of adequate supplies and equipment during the course of an emergency.

**Team Assembly Location:**

Inside – MOT

Outside – Incident Command

Team members will initially meet at the inside location. If the inside location is not available, team members will meet at the outside location. The team will then rove the entire campus to determine areas of need.

**Supply/Equipment Team Roles and Responsibilities:**

**Supply/Equipment Team Leader:**

The team leader is responsible for directing team activity and keeping the Incident Commander informed of the overall status. Specific duties of the team leader may include:

Reporting equipment and supply needs

Estimating the number of persons requiring shelter and determining the length of time shelter will be needed

**Supply/Equipment Team Members:**

The team members are responsible for assessing the adequacy of available water, food and other supplies and organizing the distribution of resources for immediate use (water, food, power, radios, telephones, and sanitary supplies). Specific duties of the team members may include:

Distributing emergency water and food supplies

Establishing a list of all persons in shelter and determining any special needs

Controlling conservation of water

Supplies and Equipment:

Hand-held radio (principal's secretary)

Keys (principal's office or MOT office)

Bullhorn (vice principal)

Emergency water supply (cafeteria)

Portable phones (individuals have their own)

Sanitary supplies (custodial rooms and principal's secretary)

Fire Suppression and HazMat Team:

The Fire Suppression and HazMat Team is responsible for extinguishing fires and evaluating the potential release of chemicals during an emergency. It is also responsible for evaluating the damages to school property in an emergency. This team will coordinate with the Incident Commander. The Fire Suppression and HazMat Team Leader is also responsible for gathering the Damage Assessment Report Form (Form F, Appendix A) from the team members and have them readily available for the Incident Commander.

Fire Suppression and HazMat Team Assignments:

Fire Suppression and HazMat Team Leader: Cal Fire

Fire Suppression and HazMat Team Member: Cal Fire

Fire Suppression and HazMat Team Roles and Responsibilities:

Fire Suppression and HazMat Team Leader:

The team leader is responsible for directing team activities and periodically interacting with the Incident Commander to identify problems and report status. The team leader is also responsible for gathering the Damage Assessment Report Forms from the team members and having them readily available for the Incident Commander.

Fire Suppression and HazMat Team Members:

The team members are responsible for extinguishing fires, evaluating the potential release of chemicals during an emergency, observing the campus, logging and reporting any damage by radio to the Command Post during an emergency. Copies of the Damage Assessment Report will be submitted to the team leader. Specific duties of the members of this team may include:

Extinguishing fires on campus

Evaluating potential release of chemicals

Identify damaged areas on the Damage Assessment Report Form. Reporting will be supplemented by pictures, if appropriate

Locating and extinguishing small fires as appropriate

Checking gas meter and, if gas is leaking, shutting down gas supply

Shutting down electricity only if building has clear structural damage or advised to do so by the Incident Commander

Posting yellow caution tape around damaged or hazardous areas

Supplies and Equipment:

Firefighting equipment (fire extinguishers in all rooms, fire station is less than one mile away)

Hand-held radio (principal's secretary)

Master keys (principal's secretary)

Clipboard with job duties (principal's secretary)

Safety binder containing site maps (principal's secretary)

Damage Assessment Report Form

School Staff Notice:

California Government Code, Chapter 8, Section 3100 states: "...all public employees are hereby declared to be disaster service workers subject to disaster service activities as may be assigned to them by their superiors or by law." In accordance with these provisions, all staff members are considered "disaster service workers" during emergencies and must remain on site to carry out assigned responsibilities.

School staff should be familiar with emergency procedures and any assigned responsibilities. During an emergency, staff will serve on response teams and implement response procedures. If a teacher has been assigned to a position on the following list, the teacher will first accompany the students to the Assembly Area where they will be reassigned to another teacher. The teacher will then carry out assigned responsibilities

The Madera County Sheriff's Office of Emergency Services, 559-675-7770 or 1-800-560-4911, is responsible for providing guidance to school administrators in the areas of emergency preparedness and response. The Sheriff is the Director of Disaster Services for the county.

Preparedness Procedures:

Management:

1. The principal will annually conduct an Emergency Hazard Assessment to evaluate unique site characteristics and conditions in the adjoining community that could cause an emergency incident.
2. The principal will designate primary and secondary Command Post locations and ensure that these locations are identified.
3. The principal will ensure effective communication between the Command Post and team section chiefs during an emergency.
4. The principal will ensure that members of the Incident Command Team (public information officer, safety coordinator, and agency liaison), and all other team leaders and members are aware of their responsibilities and assignments.
5. The principal will ensure that emergency response actions are properly documented as they occur, and that appropriate procedures are included in this plan.

Planning and Intelligence:

1. The principal will ensure that all team members receive proper training in the use of communications equipment.



2. The principal will ensure all teams are provided with instructions for the use and maintenance of maps and "status boards" at the Command Post

#### Operations:

1. The principal will ensure that this plan includes procedures for the following:

- Administering first aid
- Activating and performing search and rescue operations
- Ensuring site security
- Conducting damage assessment
- Evacuation
- Student release operations

2. The principal will ensure appropriate training is provided for the following teams:

- First Aid Medical Team
- Psychological First Aid Team
- Fire Suppression and HazMat Team
- Search and Rescue Teams

3. The principal will ensure that routine drills are conducted at the school to rehearse emergency response operations

- Drills will be conducted at elementary schools at least once a month
- Drills will be conducted at secondary schools at least twice a year

#### Logistics:

1. The principal will ensure this plan includes appropriate procedures for coordinating and assembling personnel and volunteers in the event of an emergency.

2. The principal will ensure that adequate emergency supplies are maintained and readily available for emergency use.

#### Finance/Administration:

The principal shall assure the following:

1. Purchase of all required emergency preparedness and response equipment and supplies
2. Tracking of emergency expenditures and recovery of records damaged or lost in an emergency

#### Management

During an emergency, the Incident Commander directs response actions from a designated Command Post. To effectively do this, the Incident Commander must constantly assess the situation, and develop and implement appropriate strategies. The Incident Commander must be familiar with the available resources, accurately document all response actions, and effectively communicate response strategies to others participating in the response. This function is typically filled by the school principal. The principal is assisted in carrying out this function by a Public Information & Liaison Officer and Safety Officer.

#### Planning & Intelligence

Planning and Intelligence involves the use of various methods to efficiently gather information, weigh and document the information for significance, and actively assess the status of the emergency. This understanding and knowledge about the situation at hand is vital to the effective management of a response. These activities are performed by a single person who reports directly to the Incident Commander.

**Operations**

All response actions are implemented under by Operations. This includes staff performing first aid, crisis intervention, search and rescue, site security, damage assessment, evacuations, and the release of students.

**Logistics**

Logistics supports the response by coordinating personnel; assembling and deploying volunteers; providing supplies, equipment, and services; and facilitating communications among emergency responders.

**Finance & Administration**

Finance & Administration involves the purchasing of all necessary materials, tracking financial records, timekeeping for emergency responders, and recovering school records following an emergency. These activities are performed by a single person who reports directly to the Incident Commander.

## **Emergency Response Guidelines**

### **Step One: Identify the Type of Emergency**

When an emergency situation occurs, school personnel must quickly determine what initial response actions are required. Determining the appropriate actions to take is a multi-step process---1) Identify the Type of Emergency; 2) Identify the Level of Emergency; 3) Determine the Immediate Response Action; and 4) Communicate the Appropriate Response Action.

The first step in responding to an emergency is to determine the type of emergency that has occurred. Emergency procedures for a variety of emergencies are provided in this plan for the following:

- Aircraft Crash
- Animal Disturbance
- Armed Assault on Campus
- Biological or Chemical Release
- Bomb Threat/Threat of Violence
- Bus Disaster
- Disorderly Conduct
- Earthquake
- Explosion or Risk of Explosion
- Fire in Surrounding Area
- Fire on School Grounds
- Flooding
- Loss or Failure of Utilities
- Motor Vehicle Crash
- Psychological Trauma
- Contamination of Food/Water
- Unlawful Demonstration or Walkout

### **Step Two: Identify the Level of Emergency**

The second step in responding to an emergency is to determine the level of the emergency. Each situation requires strict adherence to the policy defined below. In cooperation with local law enforcement and emergency services personnel, the following categories have been defined for emergency situations within the District:

**Level 1: Highest Threat to Life**---A major emergency that requires outside agencies such as a major earthquake, civil disturbance, or a large-scale act of terrorism. For a Level 1 emergency, it is important to remember that response time of outside agencies may be seriously delayed.

**Level 2: Moderate Threat**---A moderate emergency that requires assistance from outside agencies are those that are serious, but perhaps do not create an immediate threat to one's life, such as a fire, moderate earthquake, or a suspected act of terrorism.

**Level 3: Lowest Threat**---A minor emergency that is handled by school personnel without assistance from outside agencies, such as a temporary power outage, minor earthquake, or minor injury on the playground.

### **Step Three: Determine the Immediate Response Action**

The possible immediate response actions to be taken during emergency situations are:

**Duck and Cover**---to protect students and staff from flying or falling debris.

**Shelter in Place**---to place and/or keep students and staff indoors for a greater level of protection.

Lock Down---when a threat of violence or gunfire is identified and to prevent perpetrator(s) from entering an area.

Evacuate Building---when determination is made that it is unsafe to remain in the building.

Off-site Evacuation---when remaining on campus is determined to be unsafe and off-site evacuation is necessary.

All Clear---to notify students and staff that normal school operations may resume.

**Step Four: Communicate the Appropriate Response Action**

Once school and/or District leaders have determined the type and level of emergency, then selected an immediate response action, the CATAPULT EMS system is utilized to communicate to staff the appropriate response action. As appropriate, such communication will also be distributed via the school's PA system and other communications platforms, such as Class DOJO. The Principal will periodically provide updates of the situation and emergency response as appropriate utilizing the same communications platform(s) until the situation is resolved. The Principal and/or Superintendent will utilize communications platforms to inform parents and the community about the situation as appropriate, such as Blackboard Connect, Class DOJO, et al.

## **Types of Emergencies & Specific Procedures**

### **Aircraft Crash**

1. 911 call to EMS is initiated.
2. CATAPULT system is initiated for district-wide communications.
3. Principal will initiate appropriate action which may include DUCK AND COVER, SHELTER-IN-PLACE, EVACUATE BUILDING, or OFF-SITE EVACUATION.
4. If principal orders evacuation of buildings or off-site evacuation, staff and students will evacuate using prescribed routes or other safe routes to assembly area.
5. Teachers take attendance at assembly/evacuation area, and notify administrators of missing students via CATAPULT.
6. The site maintenance and grounds staff will secure crash area to prevent unauthorized access. If crash results in a fuel or chemical spill, refer to Biological or Chemical Release. If crash results in utility interruption, refer to Loss or Failure of Utilities.
7. The grounds and maintenance staff will suppress fire until fire department arrives.
8. On-site first aid personnel should check for injuries and provide appropriate first aid.
9. Affected areas will not be reopened until cleared by responsible agency.
10. Site and/or district counselors will convene and begin process of counseling and recovery.
11. Staff will receive periodic updates via the CATAPULT system.
12. If warranted by changed conditions, principal will initiate off-site evacuation.
13. Principal will activate Blackboard telephone/text message service, as appropriate, as well as utilize Class DOJO system to communicate with parents.

### **Animal Disturbance**

1. CATAPULT system is initiated for district-wide communications.
2. Principal will initiate appropriate action, which may include lock down or evacuation. Such action is communicated via CATAPULT.
3. Upon discovery of animal or reptile, staff members will attempt to isolate the animal/reptile from students if safe to do so. If animal/reptile is located outside, students will be kept inside. If animal/reptile is inside a building, students will be evacuated and/or remain outside in a safe area away from the threat.
4. If additional assistance is needed, the Principal will authorize a call to 911 for animal control and/or Department of Fish & Game. The exact location of the threat will be communicated.
5. If staff or a student is injured, call 911 and the emergency contact for the individual.
6. Updates on the situation will be delivered via CATAPULT.
7. Principal will activate Blackboard telephone/text notification system, as well as Class DOJO to communicate the situation to parents, as appropriate.
8. If warranted by changing conditions, Principal will initiate off-site evacuation.

### **Armed Assault on Campus**

1. Upon first indication of an armed assault, the CATAPULT EMS system is initiated, notifying the Principal and Leadership Team.
2. Principal will initiate the appropriate response, which may include shelter in place, lock down, evacuate building, or off-site evacuation. Staff and students may take appropriate actions based upon the A.L.I.C.E. principles when in eminent danger. Actions are to be communicated via CATAPULT EMS.
3. Principal will call "911" and the Madera County Sheriff's Department, provide the exact location and nature of the incident, and designate a person to remain online with "911". The Principal is responsible for contacting the District Superintendent and MOT Director, preferable via CATAPULT EMS.
4. Principal will activate the Blackboard Connect telephone/text/email parent notification service, as appropriate. Other platforms may also be utilized (i.e. Class DOJO).
5. Staff will take steps to calm and control students and attempt to maintain separation between students and the perpetrator.
6. Staff should maintain order in the assembly area and await law enforcement if such an evacuation order is issued.
7. After the perpetrator(s) has been neutralized, the Principal will conduct student headcount via the CATAPULT EMS system and notify law enforcement of any missing persons.
8. On-site first aid personnel will work with local authorities to ensure injured students and staff receive medical attention.
9. Grounds and maintenance staff will control all points of entry to the school.
10. Principal will prepare a list of casualties and locations where transported. Principal will confer with the Superintendent and school counselors to ensure parent and family notification.

11. Staff will continue to receive periodic updates via the CATAPULT EMS system.
12. All media inquiries are to be referred to either the District Superintendent and/or the public information officer (should one be available).
13. Principal will debrief staff and emergency responders.

### **Biological or Chemical Release**

#### **Scenario 1: Substance Released Inside a Room or Building**

1. CATAPULT EMS is initiated and escalated to a RED status, communicating the emergency.
2. Principal calls "911" to provide exact location and nature of the incident, then designates a person to remain online with 911. District Leadership Safety Team should be notified via CATAPULT EMS.
3. Principal orders evacuation of the building and staff will use designated routes to the assigned assembly area. Ensure the area is upwind of the affected room or building. Actions are to be communicated via CATAPULT EMS.
4. Principal is to activate a telephone/text/email message service as appropriate to communicate with parents and the community (Blackboard Connect, Class DOJO, et al).
5. MOT staff will restrict access to potentially contaminated areas.
6. MOT staff will turn off local fans in affected areas, close windows and doors, and shut down HVAC units.
7. Remove clothing from contaminated persons and wash down with soap and water. Isolate contaminated individuals from unaffected staff and students.
8. MOT staff should prepare a list of all people in the contaminated area, specifying those who may have had actual contact with the substance and provide list to Principal and Emergency Response personnel (EMS).
9. Affected areas will not be reopened until cleared by emergency response agency.
10. Counselors will convene and begin the process of counseling and recovery for victims and others affected.
11. Throughout the response, staff will receive periodic updates via CATAPULT EMS.

#### **Scenario 2: Substance Released Outdoors and Localized**

1. CATAPULT EMS is initiated and Incident is escalated to RED status, communicating the emergency to staff and the District Leadership Safety Team.
2. Principal calls 911 and directs staff to remove students from the affected area(s) to an area upwind from the release.
3. MOT staff will establish a safe perimeter around the affected area to restrict access.
4. Principal activates a telephone/text/email message service as appropriate to communicate with parents and the community (Blackboard Connect, Class DOJO, et al).
5. MOT staff will turn off local fans in affected areas, close windows and doors, and shut down HVAC units.
6. Remove clothing from contaminated persons and wash down with soap and water. Isolate contaminated individuals from unaffected staff and students.
7. MOT staff will prepare a list of all people in the contaminated area, specifying those who may have had actual contact with the substance and provide the list to Principal and Emergency Response personnel (EMS).
8. Affected areas will not be reopened until cleared by emergency response agency.
9. Counselors will convene and begin the process of counseling and recovery for victims and others affected.
10. Throughout the response, staff will receive periodic updates via CATAPULT EMS.

### **Bomb Threat/ Threat Of violence**

1. If a bomb threat is received via telephone, the staff member receiving the call is to make every attempt to keep the caller on the phone as long as possible and alert someone else to call "911".
2. Tell the "911" operator, "This is (state your name) from (school name). We are currently experiencing a bomb threat on another telephone line. The number for that line is (phone number).
3. The staff member answering the threatening call should ask the following questions, record the responses, and notify the Principal immediately.

- \*When is the bomb scheduled to explode?
- \*Where is the bomb?
- \*What kind of bomb is it?
- \*What will cause it to explode?
- \*Who are you?
- \*Why are you doing this?
- \*When did you place the bomb in the school?
- \*What can we do for you in order to avoid the bomb from exploding?
- \*How can you be contacted?

4. The Principal will initiate the CATAPULT EMS system to alert the District Safety Team and the school staff of the threat. The Principal will provide instructions on how to proceed via CATAPULT to staff. Staff will follow those directions at least until local authorities arrive and assume command of the situation.

5. The Principal will direct all staff to search their area(s) for suspicious packages, boxes, and/or foreign objects. During the search, all cell phones, hand-held radios, and other electronic devices should be turned off.

6. If a suspicious object is located, the staff member will report the discovery to the Principal while other staff members attempt to secure the area. The Principal will notify the "911" operator and District Safety Team of the exact location of the suspicious object. Do not assume the suspicious package is the only device that has been planted. The search shall continue until the entire campus has been searched. When a suspicious object or bomb is found, the Principal will issue the evacuate the building action. Staff and students will evacuate using the prescribed routes or other safe route(s) to their assembly area. Once at the assembly area, teachers will take attendance and notify the Principal/Office Staff of any missing students.

7. No attempt should be made to investigate or examine the object until local authorities arrive and are responsible for the suspicious object.

8. The Principal and staff will utilize the CATAPULT EMS system to provide updates and communications, unless safety precautions warrant turning off all electronic devices.

9. After the search is completed, the Principal and Superintendent will determine the appropriate action, which may include: duck and cover, lock down, evacuate the building, or off-site evacuation.

10. The Principal will activate parent notification protocol as appropriate utilizing mass communication platforms (i.e., Blackboard Connect, Class DOJO, etc.).

11. Do not resume school activities until local authorities clear the affected area(s), building(s), and campus.

12. Staff will receive periodic updates and communications as appropriate and feasible via the CATAPULT EMS system.

13. After the event, counselors will convene and begin the process of counseling and recovery for students and staff.

## **Bus Disaster**

### **Scenario 1: Serious Accident or Bus Fire**

1. The bus driver is to park the bus in a safe location, set the emergency brake, and turn off the ignition.
2. In the event of a bus fire, the driver initiates a bus evacuation.
3. The driver is to call "911", providing the exact location of the bus and await arrival of emergency responders.
4. The driver checks for injuries and provides appropriate first aid and/or CPR.

5. The driver is to call the MOT Director to report the incident. The MOT Director will notify the Superintendent and the Principal(s) about the incident and initiate the CATAPULT EMS system.
6. The driver is to remain with the disabled bus and students until help arrives. The driver will account for all students and staff throughout the emergency situation.
7. The Principal(s) will activate the parent notification protocol utilizing a mass communications platform (i.e., Blackboard Connect, Class DOJO, etc.).

#### Scenario 2: Earthquake

1. The driver should issue a duck and cover action.
2. The driver should stop the bus away from power lines, bridges, overpasses, buildings, overhanging trees, potential landslide conditions, and/or other dangerous situations.
3. The driver should set the parking brake, turn off the ignition, and wait for the shaking to stop.
4. The driver shall check for injuries and provide first aid as appropriate.
5. If the bus is disabled, the driver will stay in place until help arrives.
6. The driver will contact the MOT Director and Principal(s) to report the exact location of the bus and the condition(s) of students and the bus.
7. The MOT Director and/or Principal(s) will initiate the CATAPULT EMS system to notify the Superintendent and District Safety Team of the incident.
8. If instructed to continue the route, the driver should:
  - \*If impossible to return to school, proceed to the nearest shelter indicated on the bus route map, or as determined by the MOT Director.
  - \*In all instances, do not attempt to cross damaged bridges, overpasses, tunnels, or other hazardous terrains.
  - \*Upon arriving at the shelter, the driver shall notify the MOT Director and Principal(s).
  - \*The driver shall remain with the students until further instructions from the MOT Director, Principal(s), or emergency responders.
9. The driver will account for all students and staff throughout the emergency:
  - \*If en route to school, continue to pick up students along the route.
  - \*If dropping students off, continue to do so provided there is a responsible adult at the bus stop. If there is no responsible adult at the bus stop, contact the school office, Principal, or MOT Director for direction.
10. The Principal and/or MOT Director will activate the parent notification protocol for mass communications (i.e., Blackboard Connect, Class DOJO, etc.), as appropriate.

#### Scenario 3: Flood

1. DO NOT drive through flooded roadways. Take alternate route(s) or wait for public safety personnel to determine safety. In all instances, DO NOT attempt to cross damaged bridges, overpasses, tunnels, or other hazardous terrains.
2. If the bus is disabled, the driver shall stay in place until help arrives.
3. The driver will contact the MOT Director and Principal(s) to report the incident, exact location of the bus, and the condition(s) of students and staff.
4. The MOT Director and/or Principal(s) will initiate the CATAPULT EMS system to alert the District Safety Team.



5. The driver shall account for all students and staff throughout the emergency.
6. The Principal(s) and/or MOT Director will activate the parent notification protocol for mass communications (i.e., Blackboard Connect, Class DOJO, etc.) as appropriate.

### **Disorderly Conduct**

1. Staff should make every effort to take steps to bring a sense of calm and control to the situation and isolate the perpetrator from students and staff, if safe. If an immediate threat is not evident, staff may attempt to diffuse the situation. Staff should approach the perpetrator in a calm manner and request the perpetrator leave the campus. Staff should avoid any hostile situations.
2. Staff shall immediately notify the Principal and/or Office Staff of the situation.
3. The Principal will initiate the appropriate immediate response actions, which may include shelter in place, lock down, evacuate the building, or off-site evacuation.
4. The Principal will call "911" and then initiate the CATAPULT EMS system, reporting the exact location of the incident.
5. Staff will receive periodic updates via the CATAPULT EMS system.
6. The Principal will activate the parent notification protocol via mass communications platform (i.e., Blackboard Connect, Class DOJO, etc.) as appropriate.

### **Earthquake**

1. Upon first indication of an earthquake, teachers and staff shall direct students to duck and cover.
2. Students, teachers, and all staff should move away from windows and overhead hazards to avoid glass and falling objects.
3. The Principal will initiate the CATAPULT EMS system.
3. When the shaking stops, the Principal will order and evacuate building response. Staff and students will evacuate buildings using prescribed routes or other safe routes to their assembly area.
4. Teachers will take attendance at the assembly area and notify the Principal and Office Staff of missing students via the CATAPULT EMS system.
5. The Principal may post staff at a safe distance from building entrances to prevent access.
6. MOT staff will notify the Principal of fallen electrical lines, establish barriers, and advise staff to avoid contact with fallen wires and other hazards.
7. Staff shall check for injuries and provide appropriate first aid.
8. The MOT Director will notify utility companies of any damage or downed lines.
9. If safe, MOT staff will inspect buildings to identify any damages or hazards, as well as to locate any missing students or staff. MOT staff will conduct damage assessment and maintain a log of findings. Affected areas will remain closed until deemed safe to re-enter.
10. The Superintendent, MOT Director, and Principal(s) will confer to determine any additional actions that may be necessary.
11. The MOT Director or Principal(s) will notify the fire department to ensure buildings are safe for re-occupancy.

12. If warranted by changing conditions, the Superintendent and/or Principal(s) will initiate an off-site evacuation order.
13. Staff will continue to receive updates via the CATAPULT EMS system.
14. The Principal(s) and/or the Superintendent will initiate the parent notification protocol using a mass communications platform (i.e., Blackboard Connect, Class DOJO, etc.).
15. In the event the earthquake occurs during non-school hours:
  - \*The MOT Director, Principal(s), and Superintendent will assess damages to determine any necessary corrective actions in consultation with local authorities and EMS personnel.
  - \*The Principal(s) and Superintendent will confer regarding the possible need for a school closure.
  - \*If a school closure is necessary, the Principal(s), MOT Director, or the Superintendent will send a message via a mass communications platform (i.e., Blackboard Connect, Class DOJO, etc.).

### **Explosion or Risk Of Explosion**

#### **Scenario 1: Explosion on School Property**

1. In the event of an explosion, Staff should initiate a duck and cover order.
2. Staff should consider the possibility of another imminent explosion and take appropriate action.
3. Staff will call "911" and provide the exact location of the incident.
4. Staff will initiate the CATAPULT EMS system. The Principal will initiate the appropriate response action, which may include shelter in place, evacuate building, or off-site evacuation orders. Evacuation may be required from some buildings or facilities, while others deemed safe may be used for shelter.
5. If evacuating, staff and students will use prescribed routes or other safety routes to their assigned assembly area. Once at the assembly area, teachers will take attendance and report that information to the Principal and Office Staff via the CATAPULT EMS system.
6. Staff will check for injuries and provide appropriate first aid.
7. Staff will attempt to suppress any fires with the use of fire extinguishers.
8. The MOT Director will notify utility companies of any damages or hazardous conditions.
9. The Principal will direct staff to post guard at a safe distance from building entrances to prevent access, as necessary.
10. If safe to enter affected areas, the Principal will advise MOT staff to initiate search and rescue activities until emergency responders arrive.
11. When safe, MOT staff will conduct damage assessment and maintain a log of findings. Damaged buildings and facilities will remain closed until declared safe for occupancy.
12. Staff will receive periodic updates via the CATAPULT EMS system, as warranted.
13. If warranted by changing conditions, the Principal will initiate an off-site evacuation.

#### **Scenario 2: Risk of Explosion of School Property**

1. The Principal will call "911" to report the current situation.

2. The Principal will activate the CATAPULT EMS system by sending an alert which will notify staff, District Safety Team, and Superintendent of the emergency.
3. The Principal will initiate appropriate responsive action, which may include duck and cover, shelter in place, evacuate building, or off-site evacuation.
4. If evacuation is ordered, students and staff will use prescribed routes or other safe routes to their assembly area(s). Teachers will take attendance at the assembly area and report to the Principal and Office Staff via the CATAPULT EMS system.
5. If fire is present, staff will attempt to suppress the fire(s) with the use of fire extinguishers.
6. If necessary, the Principal will advise MOT staff to initiate rescue operations.
7. The MOT Director will notify utilities companies of any damages or hazardous conditions.
8. Affected areas will remain closed until cleared by emergency responders and/or district leadership.
9. If warranted by changing conditions, the Principal will initiate an off-site evacuation.
10. In the event of an explosion, refer to the procedures under Scenario 1 above.
11. Staff will receive periodic updates via the CATAPULT EMS system.
12. The Principal and/or Superintendent will initiate the parent notification protocol through the use of a mass communication platform (i.e., Blackboard Connect, Class DOJO, etc.).

#### Scenario 3: Explosion or Risk of Explosion in Surrounding Area

1. The Principal will call "911" and provide exact location of the incident.
2. The Principal will activate the CATAPULT EMS system by sending an alert which will notify staff, District Safety Team, and the Superintendent of the emergency.
3. The Principal will initiate a shelter in place order to staff and students via the CATAPULT EMS system. This order shall remain in effect until emergency responders provide clearance or further direction.
4. The Principal will take further actions as needed or ordered by emergency responders.
5. Staff will receive periodic updates via the CATAPULT EMS system.

#### Scenario 4: Nuclear Blast or Explosion Involving Radioactive Materials

1. The Principal will call "911" and provide exact location of the incident.
2. The Principal will activate the CATAPULT EMS system by sending an alert, which will notify staff, District Safety Team, and the Superintendent of the emergency.
3. The Principal will initiate a shelter in place order to staff and students via the CATAPULT EMS system.
4. After the initial blast, remove students from rooms with broken windows and/or other hazardous debris and conditions. Staff will extinguish any fires with the use of fire extinguishers. Staff will provide first aid as warranted.
5. MOT staff will turn off the main gas supply and local fans in the area.

6. MOT staff will close and lock doors and windows, shut down HVAC systems, seal gaps under doors and windows with wet towels or duct tape, seal vents with aluminum foil or plastic wrap (if available), and turn off sources of ignition, such as pilot lights.
7. The Principal will monitor the radio/TV/multimedia news and initiate further directions as appropriate.
8. At the Principal's discretion, and only if safe to do so, designated personnel should attempt to distribute emergency supplies, including food and water, to students and staff.
9. If appropriate, the Principal will notify the MOT Director and transportation department to request buses for off-site evacuation, and then initiate the off-site evacuation order via the CATAPULT EMS system.
10. Staff will receive periodic updates via the CATAPULT EMS system.

#### **Fire in Surrounding Area**

1. The Principal will call "911" and provide details of the fire, including the exact location of the emergency.
2. The Principal will initiate the CATAPULT EMS system, which will notify the staff, District Safety Team, and the Superintendent.
3. The Principal will initiate an appropriate responsive action, which may include shelter in place, lock down, evacuate building, or off-site evacuation. The order will be sent via the CATAPULT EMS system.
4. All staff, including MOT staff, should prevent students from approaching the fire and keep access routes open for emergency vehicles and personnel.
5. The Principal will communicate with emergency responders to determine if school grounds are threatened by fire, smoke, or other hazardous conditions.
6. If the Principal orders an evacuation of buildings, staff and students will evacuate using prescribed routes or other safe routes to their assembly area(s). Such an order will be delivered via the CATAPULT EMS system.
7. Once at the assembly area, teachers will take attendance and report to the Principal and Office Staff via the CATAPULT EMS system.
8. Principal should keep a battery-powered radio tuned to a local radio station for information during such an event.
9. If appropriate, the Principal will notify the MOT Director and transportation department to request buses for an off-site evacuation. If warranted by changing conditions, the Principal will initiate an off-site evacuation order.
10. Staff will receive periodic updates via the CATAPULT EMS system.
11. The Principal and/or the Superintendent will initiate the parent notification protocol utilizing mass communications platforms (i.e., Blackboard Connect, Class DOJO, etc.).

#### **Fire on School Grounds**

1. Upon discovery of fire, staff will direct all occupants out of the building or immediate area, signal the fire alarm, and report the fire to the Office Staff and Principal. Staff will call "911".
2. The Principal will initiate the CATAPULT EMS system to notify staff, District Safety Team, and Superintendent. The Principal will immediately initiate an evacuate building order via the CATAPULT EMS system. Staff and students will evacuate building using prescribed routes or other safe routes to their assembly area(s). Once at the assembly area, teachers will take attendance and report to the Office Staff and Principal using the CATAPULT EMS system.

3. MOT staff should suppress fires and initiate rescue procedures until the local fire department arrives on scene.
4. MOT staff will secure the area to prevent entry and keep access roads clear for emergency response vehicles.
5. Designated staff will direct fire crews to the fire and brief the fire personnel lead on the situation.
6. The MOT Director will notify the appropriate utilities companies of damages and/or hazardous conditions.
7. If appropriate, the Principal will notify the MOT Director and transportation department to request buses for an off-site evacuation. If warranted by changing conditions, the Principal will order an off-site evacuation.
8. Areas affected by the fire will remain closed until cleared by fire officials and district leadership.
9. All fires, regardless of their size, which are extinguished by school personnel, require a call to the fire department to indicate "the fire is out".
10. Staff will receive periodic updates via the CATAPULT EMS system, as warranted.
11. For fires during non-school hours, the Principal will confer with the Superintendent and local emergency responders on the need for a school closure.

#### **Flooding**

1. The Principal will call "911" to report the flooding event, including the exact location of the flood.
2. The Principal will initiate the CATAPULT EMS system to notify staff, District Safety Team, and the Superintendent.
3. The Principal will initiate an appropriate response action, which may include shelter in place, evacuate building, or off-site evacuation. The action will be ordered via the CATAPULT EMS system.
4. If the Principal orders an evacuation of building(s) or off-site evacuation staff and students will evacuate using prescribed routes or other safe routes to prescribed assembly area(s). Once at the assembly area, teachers will take attendance and report to Office Staff and Principal using the CATAPULT EMS system.
5. The Principal will notify the MOT Director and transportation department to request buses for an off-site evacuation. If warranted, such an order will be initiated via the CATAPULT EMS system.
6. Staff will receive periodic updates via the CATAPULT EMS system.

#### **Loss or Failure Of Utilities**

1. Upon notice of loss of utilities, the Principal will initiate the appropriate response action, which may include shelter in place or evacuate building. The response action may be changed due to changing conditions, as those conditions warrant, and could ultimately result in an off-site evacuation.
2. If water or electrical line is broken, MOT staff will turn off water and/or power to the affected area and notify the Principal and MOT Director.
3. Staff will call "911", if appropriate, and report the situation.
4. Staff will initiate the CATAPULT EMS system to alert school staff, the District Safety Team, and the Superintendent of the situation.

5. The MOT Director will contact utility companies to determine whether their assistance is required and the potential length of time that utility service will be disrupted.
6. If the loss of utilities may generate a risk of explosion, refer to Risk of Explosion on School Property.
7. As necessary, school emergency supplies will be utilized to compensate for loss of utility.
8. Affected areas will remain closed until cleared by emergency services and/or district leadership.
9. Staff will receive periodic updates via the CATAPULT EMS system.
10. The Principal and/or Superintendent will initiate the parent notification protocol by utilizing a mass communications platform (i.e., Blackboard Connect, Class DOJO, etc.).

#### **Motor Vehicle Crash**

1. Staff will call "911" to report the accident and provide the exact location of the incident, and then notify the Office Staff and the Principal.
2. The Principal will initiate the CATAPULT EMS system and order the appropriate response action, which may include duck and cover, shelter in place, evacuate building, or off-site evacuation.
3. If evacuate building orders are issued, teachers and students will use prescribed routes or other safe routes to their assembly area(s). Once at the assembly area, teachers will take attendance and report to the Office Staff and the Principal via the CATAPULT EMS system.
4. MOT staff should secure the crash area to prevent unauthorized access and maintain access to the crash scene by emergency responders. If the crash results in a fuel or chemical spill, refer to Biological or Chemical Release. If the crash results in a utility interruption, refer to Loss or Failure of Utilities.
5. MOT staff should suppress any fire with fire extinguishers until emergency responders arrive.
6. Staff should check for injuries and provide appropriate first aid to victims.
7. Staff will receive periodic updates via the CATAPULT EMS system as appropriate.
8. The Principal and/or the Superintendent will initiate the parent notification protocol by utilizing a mass communications platform (i.e., Blackboard Connect, Class DOJO, etc.).

#### **Psychological Trauma**

1. The Principal will notify counselors to provide necessary assistance after all types of crisis that impact students and/or staff of the school.
2. Counselors will assess the range of crisis intervention services during and following an emergency.
3. Counselors will provide direct intervention services to students and/or staff.
4. If there is a need for additional assistance, the Principal will notify the Superintendent, who will notify outside agencies for aid. These agencies will include but not be limited to: Madera County Superintendent of Schools, Madera County Department of Public Health, neighboring school districts, and private counseling services.
5. Counselors will advise and assist the Principal to restore regular school functions as quickly as possible.

6. Counselors will limit exposure to scenes of trauma, injury, and death.
7. Counselors will provide ongoing assessment of needs and follow-up services, as necessary.
8. The Principal will initiate the parent notification protocol utilizing a mass communications platform (i.e., Blackboard Connect, Class DOJO, etc.).
9. Staff will receive periodic updates from the Principal as appropriate and necessary.

#### **Suspected Contamination of Food or Water**

1. The Principal will isolate the suspected contaminated food/water to prevent consumption and restrict access.
2. If appropriate, the Principal will call "911" to report the contamination.
3. If appropriate, the Principal will notify the Madera County Department of Public Health to report the contamination.
4. The Principal will notify the Superintendent and the MOT Director of the contamination.
5. The Principal will create a list of potentially affected students and staff, and provide the list to responding authorities.
6. Staff will assess the need for medical attention and provide first aid, as appropriate.
7. The Principal will maintain a log of affected students and staff, noting their specific symptoms, suspected food/water, quantity, character of products consumed, and other pertinent information.
8. The Madera County Public Health Department will conduct onsite review to determine follow-up actions, if any.
9. The Principal will confer with Madera County Public Health Department officials before resumption of operations.
10. Staff will receive periodic updates, as appropriate.
11. The Principal will initiate the parent notification protocol utilizing a mass communications platform (i.e., Blackboard Connect, Class DOJO, etc.).

#### **Unlawful Demonstration or Walkout**

1. Staff will notify the Principal upon indication of an unlawful demonstration or walkout.
2. The Principal will initiate the CATAPULT EMS system to report the incident to staff and the Superintendent.
3. The Principal will initiate the appropriate response, which may include shelter in place.
4. The Principal will call "911" to request assistance and will provide the exact location and nature of the emergency.
5. MOT staff will immediately proceed to the main entrance to control student ingress and egress. Staff will record the name of each student and the time of ingress or egress.
6. If students leave campus, MOT staff, in consultation with the Principal, will designate appropriate staff members to accompany the students.
7. Students not participating in the demonstration or walkout should be kept within their classroom until further notice from the Principal. Teachers will close and lock their classroom doors.

8. Staff members should keep accurate record of events, conversation, and actions throughout the incident.
9. All media inquiries will be referred to the District Superintendent and school Principal.
10. The Principal should proceed in good judgement on the basis of police or other legal advice in taking any action to control and resolve the situation.
11. Staff will receive periodic updates via the CATAPULT EMS system, as appropriate.
12. The Principal and/or Superintendent will initiate the parent notification protocol by utilizing a mass communications platform (i.e., Blackboard Connect, Class DOJO, etc.).



**Emergency Evacuation Map**