

# **South El Monte High School**

## **Comprehensive School Safety Plan**

### **SB 187 & SB 334 Compliance Document**

**2022-2023**

Revised – December 13, 2022

A meeting for public input was held on  
December 13, 2022

Plan was revised December 9, 2022

Plan to be approved by EMUSHD Board on:

South El Monte High School  
1001 N. Durfee Ave  
South El Monte, California. 91733

El Monte Union High School District

***This document is to be maintained for public inspection during business hours***

NOTE: Tactical information is excluded from the public inspection document. A “Public Inspection Log” will be used to record the name, address, phone number and method used for verifying the identity of all individuals requesting to inspect this plan.

This document is not available for inspection on the Internet.

**South El Monte High School  
Comprehensive School Safety Plan - Signature Page  
2022-2023**

The undersigned members of the (South El Monte High School) (School-site Council) certify that the requirements of California Education Code 32280-32282 have been met in the development of the following Comprehensive School Safety Plan.

  
\_\_\_\_\_  
Principal (or Designee) 2/7/23  
Date

  
\_\_\_\_\_  
Teachers Association Representative 2/7/23  
Date

  
\_\_\_\_\_  
Parent 2-6-23  
Date

NA  
\_\_\_\_\_  
Classified Employee Association Representative Date

\_\_\_\_\_  
Student - Optional Date

  
\_\_\_\_\_  
Law Enforcement Agency ~~12-13-22~~  
Date

\_\_\_\_\_  
Fire Department Date

  
\_\_\_\_\_  
Other 12-13-22  
Date

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# Comprehensive School Safety Plan

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| South El Monte High School<br>El Monte Union High School District |
| Section 1: General Information – School Safety                    |
| Part 2: Legislative Requirements                                  |

CA Education Code 32286 requires each school site to review and update its school safety plan by March 1 of each year which must be developed and written by a School Site Council (SSC) or its designated Safety Planning Committee in collaboration with teachers, classified staff, parents, and first responders to provide an up to date and complete plan.

This requirement 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 187/SB 334 to contain 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
- Sexual 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

The Comprehensive School Safety Plan will be reviewed and updated by March 1<sup>st</sup> 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.

# Comprehensive School Safety Plan

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| South El Monte High School<br>El Monte Union High School District  |
| Section 1: General Information – School Safety                     |
| <a href="#">Part 3: Maintaining a Safe and Orderly Environment</a> |

It is a priority of the administration and staff at **South El Monte High School** that every student who attends our school will be provided with an environment in which the students not only feel physically safe, but that there is also a positive school climate in all activities both in and out of the classroom.

Our administration and staff desire to provide an orderly, caring, and nondiscriminatory learning environment in which all students can feel comfortable and take pride in their school and their achievements.

Our administration encourages staff to teach students the meaning of equality, human dignity, and mutual respect, and to employ cooperative learning strategies that foster positive interactions in the classroom among students from diverse backgrounds.

Students shall have opportunities to voice their concerns about school policies and practices and to share responsibility for solving problems that affect their school. Staff shall encourage and reward success and achievement, participation in community projects, and positive student conduct.

Our school district promotes nonviolent resolution techniques in order to encourage attitudes and behaviors that foster harmonious relations. Staff shall receive training which implements and supports conflict resolution (California Education Code Sections 32230-32239, 35160, 35160.1, 44806).

**South El Monte High School** remains in compliance with existing laws related to school safety. This manual outlines several elements critical to maintaining a safe school environment.

# Comprehensive School Safety Plan

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|---|
| South El Monte High School<br>El Monte Union High School District   |
| Section 1: General Information – School Safety                      |
| <a href="#">Part 4: Board Policy and Administrative Regulations</a> |

From El Monte Union High School District - Board Policy 0450 – Comprehensive Safety Plan:

## Development and Review of School Site Safety Plan

The school site council shall consult with local law enforcement in writing and developing the comprehensive school safety plan. When practical, the school site council also shall 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. This committee shall be 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 its comprehensive school 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



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Continued from El Monte Union High School District - Board Policy 0450 – Comprehensive Safety Plan:

3. A representative of each parent organization at the school site, 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 - Bargaining Units)*

5. A representative of the 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. A representative of the 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 school crime committee on campus and at school-related functions. (Education Code 32282)

The assessment may include, but not be limited to, data on reports of school crime, suspension and expulsion rates, and surveys of students, parents/guardians, and staff regarding their perceptions of school safety.

*(cf. 0500 - Accountability)*

*(cf. 1400 - School Accountability Report Card)*

# Comprehensive School Safety Plan

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| South El Monte High School<br>El Monte Union High School District   |
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| <a href="#">Part 4: Board Policy and Administrative Regulations</a> |

Continued from El Monte Union High School District - Board Policy 0450 – Comprehensive Safety Plan:

The plan also 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

*(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 American 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 a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare

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

*(cf. 35161.1 – 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(c) for students who commit an act listed in Education Code 48915(c) and other school-designated serious acts which 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))*

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| <a href="#">Part 4: Board Policy and Administrative Regulations</a> |

Continued from El Monte Union High School District - Board Policy 0450 – Comprehensive Safety Plan:

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. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

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 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. Hate crime reporting procedures

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

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| <a href="#">Part 4: Board Policy and Administrative Regulations</a> |

Continued from El Monte Union High School District - Board Policy 0450 – Comprehensive Safety Plan:

Among the strategies for providing a safe environment, the school 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)*  
*(cf. 5136 - Gangs)*

3. Curriculum that emphasizes prevention and alternatives to violence, such as multicultural education, character/values education, 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)*

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| South El Monte High School<br>El Monte Union High School District   |
| Section 1: General Information – School Safety                      |
| <a href="#">Part 4: Board Policy and Administrative Regulations</a> |

Continued from El Monte Union High School District - Board Policy 0450 – Comprehensive Safety Plan:

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

*(cf. 1020 - Youth Services)*

7. Procedures for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of the school

*(cf. 3514.1 - Hazardous Substances)*

*(cf. 3514.2 - Integrated Pest Management)*

8. Procedures for receiving verification from law enforcement that a violent crime has occurred on school grounds and for promptly notifying parents/guardians and employees of that crime

*(cf. 5116.1 – Intra-district Open Enrollment)*

9. Assessment of the school's physical environment, including a risk management analysis and development of ground security measures such as procedures for the 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)*

# Comprehensive School Safety Plan

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| South El Monte High School<br>El Monte Union High School District   |
| Section 1: General Information – School Safety                      |
| <a href="#">Part 4: Board Policy and Administrative Regulations</a> |

Continued from El Monte Union High School District - Board Policy 0450 – Comprehensive Safety Plan:

10. 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. 3515.2 - Disruptions)*

*(cf. 3515.5 - Sex Offender Notification)*

*(cf. 5131.4 - Student Disturbances)*

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, Governing Board 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

11. 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)*

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| <a href="#">Part 4: Board Policy and Administrative Regulations</a> |

Comprehensive Safety Plan:

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)

(cf. 1312.3 – Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of sex 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  
35294.10-35294.15 School Safety and Violence Prevention Act  
41510-41514 School Safety Consolidated Competitive Grant Program  
48900-48927 Suspension and expulsion  
48950 Speech and Other Communication  
49079 Notification to teacher; student who has committed acts constituting grounds for suspension or expulsion  
67381 Violent crime

PENAL CODE

11164-11174.3 Child Abuse and Neglect Reporting Act

CALIFORNIA CONSTITUTION

Article 1, Section 28© Right to Safe School

CODE OF REGULATIONS, TITLE 5

11992-11993 Definition, persistently dangerous schools  
11987-11987.7 School Community Violence Prevention Program requirements

# Comprehensive School Safety Plan

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Comprehensive Safety Plan:

## UNITED STATES CODE, TITLE 20

7101-7165.1 Safe and Drug Free Schools and Communities, especially:

7114 Application for local educational agencies

7912 Transfers from persistently dangerous schools

## UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

Management Resources:

### CSBA PUBLICATIONS

911! A Manual for Schools and the Media During a Campus Crisis, 2001

Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1999

### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Practical Information on Crisis Planning: A Guide for Schools and Communities, January 2007

Early Warning, Timely Response: A Guide to Safe Schools, August 1998

### WEB SITES

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

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

California Office of Emergency Services: <http://www.oes.ca.gov>

California Seismic Safety Commission: <http://www.seismic.ca.gov>

Center for Effective Collaboration and Practice: <http://cecp.air.org>

Federal Bureau of Investigation: <http://www.fbi.gov>

National Alliance for Safe Schools: <http://www.safeschools.org>

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

U.S. Department of Education, Office of Safe and Drug Free Schools:

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



# Comprehensive School Safety Plan

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| Section 1: General Information – School Safety                      |
| <a href="#">Part 4: Board Policy and Administrative Regulations</a> |

## Comprehensive Safety Plan:

### Development and Review of School Site Safety Plan

When developing the comprehensive school safety plan, the school site council shall consult with local law enforcement as well as other school site councils and safety committees, when practical. (Education Code 32281, 32282)

In addition, the school site council may consult with other local agencies as appropriate, including health care and emergency service providers.

The school site council may delegate the responsibility for developing a school safety plan to a school safety planning committee. This committee shall be 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. once classified employee who is a representative of the recognized classified employee organization
5. Other members, if desired

Before adopting its comprehensive school 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 school safety 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. A representative of the local school employee organization
2. A representative of each parent organization at the school site, including the parent teacher association and parent teacher clubs
3. A representative of each teacher organization at the school site
4. A representative of the student body government (middle schools)

# Comprehensive School Safety Plan

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| <a href="#">Part 4: Board Policy and Administrative Regulations</a> |

## Content of the Safety Plan

The districtwide and/or school site safety plan shall include an assessment of current status of school crime committed on campus(es) and at school-related functions. (Education Code 32282)

The plan also 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. The plan shall include the development of all of the following: (Education Code 32282)

1. Child abuse reporting procedures consistent with Penal Code 11164
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
  - b. An earthquake emergency procedure system in accordance with the Education Code 32282
  - c. A procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare
3. Policies pursuant to Education Code 4891(c) and other school designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations
4. Procedures to notify teachers of dangerous students pursuant to Education Code 49079  
*(cf. 4158/4258/4358 – Employee Security)*
5. A discrimination and harassment policy consistent with the prohibition against discrimination pursuant to Education Code 200-262.4
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”
7. Procedures for safe ingress and egress of students, parents/guardians, and employees to and from school
8. A safe and orderly school environment conducive to learning.

# Comprehensive School Safety Plan

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| South El Monte High School<br>El Monte Union High School District   |
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| <a href="#">Part 4: Board Policy and Administrative Regulations</a> |

From EUHSD Administrative Regulation 0450 – Comprehensive Safety Plan:

9. The rules and procedures on school discipline adopted pursuant to Education Code 35291 and 35291.5
10. Hate crime reporting procedures

Among the strategies for providing a safe environment, the school 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.
2. Disciplinary policies and procedures that contain prevention strategies, such as strategies to prevent bullying, hazing and cyber-bullying, as well as behavioral expectations and consequences for violations
3. Curriculum that emphasizes prevention and alternatives to violence, such as multicultural education, character/values education, medial analysis skills, conflict resolution, and community service learning
4. Parent involvement strategies, including strategies to help ensured parent/guardian support and reinforcement of the school’s rules and increase the number of adults on campus
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
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. Procedures for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of the school
8. Procedures for receiving verification from law enforcement that a violent crime has occurred on school grounds and for promptly notifying parents/guardians and employees of that crime
9. Assessment of the school’s physical environment, including a risk management analysis and development of ground security measures such as procedures for the closing of campuses to outsiders, surveillance systems, securing the campus perimeter, protecting buildings against vandalism, and providing for a law enforcement presence on campus.

# Comprehensive School Safety Plan

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| South El Monte High School<br>El Monte Union High School District   |
| Section 1: General Information – School Safety                      |
| <a href="#">Part 4: Board Policy and Administrative Regulations</a> |

From EMUHSD Administrative Regulation 0450 – Comprehensive Safety Plan:

10. 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
  - b. Assignment of staff members responsible for each identified task and procedure
  - c. Development of an evacuation plan based on an assessment of buildings and grounds and opportunities for students and staff to practice the evacuation plan
  - d. Coordination of communication to schools, Governing Board members, parents/guardians, and the media
  - e. Development of a method for the reporting of violent incidents
  - f. Development of follow-up procedures that may be required after a crisis has occurred, such as counseling
11. Staff development in violence prevention and intervention techniques, including preparation to implement the elements of the safety plan

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The requirements of school personnel and the identification and reporting of known or suspected child abuse to a protective agency is mandated by the State of California Penal Code. In fact, failure to do so on the part of school personnel could lead to penalties, which might be imposed, on these individuals. The El Monte Union High School District Board Policy and Administrative regulations are continually updated to reflect appropriate legislation. Excerpts from the California Penal Code and EMUHSD District Board Policy as well as Administrative Regulations are presented below.

From California Penal Code Section 11166

...any child care custodian, health practitioner, or employee of a child protective agency who has knowledge or observes a child in his or her professional capacity within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of child abuse shall report the known or suspected instance of child abuse to a child protective agency immediately or as soon as practically possible by telephone and shall prepare and send a written report thereof within 36 hours of receiving the information concerning the incident.

## Definitions

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

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

*(cf. 4119.21/4219.21/43919.21 – Professional Standards)*  
*(cf. 5145.7 – Sexual Harassment)*

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*Child abuse or neglect* does not include:

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

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

3. An injury resulting from the exercise by a teacher, vice principal, principal or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An injury caused by a school employee's use of force that is reasonable and necessary for a school employee to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of the student (Education Code 49001)
5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by the student (Education Code 49001)

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

*(cf. 5141.41 - Child Abuse Prevention)*

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

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## Reportable Offenses

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

Any mandated reporter who has knowledge of or who reasonably suspects that mental suffering has been inflicted upon a child, or that the child's emotional well-being is endangered in any other way, may report the known or suspected instance of child abuse or neglect to the appropriate agency designated below. (Penal Code 11166.05, 11167)

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

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

## Responsibility for Reporting

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

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

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

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

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## Reporting Procedures

### 1. Initial Telephone Report

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

Department of Children's Services  
1-800-540-4000

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

### 2. Written Report

Within 36 hours of receiving the information concerning the incident, the mandated reporter shall prepare and send to the appropriate agency a written report which includes a completed Department of Justice form. (Penal Code 11166, 11168)

Mandated reporters may obtain copies of the above form from the appropriate agency.

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

- a. The name, business address and telephone number of the person making the report and the capacity that makes the person a mandated reporter
- b. The child's name and address, present location and, where applicable, school, grade and class
- c. The names, addresses and telephone numbers of the child's parents/guardians
- d. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information



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- e. The name, address, telephone number and other relevant personal information about the person(s) who might have abused or neglected the child

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

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

### 3. Internal Reporting

The mandated reporter may give to an investigator from an agency investigating the case, including a licensing agency, any information relevant to an incident of child abuse or neglect or to a report made for serious emotional damage pursuant to Penal Code 1166.05 (Penal Code 11167)

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

However, employees reporting child abuse or neglect to an appropriate agency are encouraged,

### 4. Training

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

*(cf. 4131 – Staff Development)*

*(cf. 4231 – Staff Development)*

*(cf. 4331 – Staff Development)*

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## Continue – Training

The training shall include, but not necessarily be limited to, training in **identification and reporting** of child abuse and neglect. In addition, the training shall include information that failure to report an incident of known or reasonably suspected child abuse or neglect as required by law, is a misdemeanor punishable by imprisonment and/or a fine as specified. (Ed. Code 44691; Penal Code 11165.7)

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

### 5. Victim Interviews

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

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

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

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

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## Release of Child to Peace Officer

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

Peace officers shall be asked to sign an appropriate release or acceptance of responsibility form.

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

## CHILD ABUSE PREVENTION – 5141.41 BP

Every child has the right to live free of physical and emotional abuse, including neglect and sexual assault. The Board of Trustees recognizes that such abuse has severe consequences for the child, sometimes resulting in the child's own violent behavior or in drug addiction. Schools are in a position to promote the prevention of child abuse and its reoccurrence and to reduce the general vulnerability of children.

Age-appropriate and culturally-appropriate child abuse prevention curriculum shall be a component of the district's health and safety instruction. This curriculum shall explain students' rights to live free of abuse, inform them of available support resources, and teach them how to obtain help and disclose incidents of abuse. The curriculum also shall include training in self-protection techniques.

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

Parents/guardians shall receive prior notice of child abuse prevention instruction whenever such instruction will include family life or sex education for which notification is required by law.

*(cf. 1020 - Youth Services)*

*(cf. 6142.1 - Family Life/Sex Education)*

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## Parent/Guardian Complaints

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

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

*(cf. 4117.4 - Dismissal)*

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

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

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

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

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

*(cf. 1312.3 - Uniform Complaint Procedures)*

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## Notifications

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

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

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

The Superintendent or designee shall also notify all employees that:

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

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## **New Employees**

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

## **Mandated Reporters**

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

## **Reasonable Suspicion**

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

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## CHILD ABUSE PREVENTION AND REPORTING (continued)

The Board of Trustees recognizes that the district has a responsibility to educate students about the dangers of child abuse so that they will acquire skills and techniques needed to identify unsafe situations and to react appropriately and promptly. The Superintendent or designee shall establish procedures for the identification and reporting of suspected child abuse incidents in accordance with the law.

*(cf. 5141.41 - Child Abuse Prevention)*

*(cf. 5142 - Safety)*

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

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

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

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)

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

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

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## CHILD ABUSE PREVENTION AND REPORTING (continued)

### *Legal Reference:*

#### EDUCATION CODE

*33308.1 Guidelines on procedure for filing child abuse complaints*

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

*48906 Notification when student released to peace officer*

*48987 Dissemination of reporting guidelines to parents*

#### PENAL CODE

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

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

*288 Definition of lewd or lascivious act requiring reporting*

*11164-11174.3 Child Abuse and Neglect Reporting Act*

#### WELFARE AND INSTITUTIONS CODE

*15630-15637 Dependent adult abuse reporting*

#### CODE OF REGULATIONS, TITLE 5

*4650 Filing complaints with CDE, special education students*

### *Management Resources:*

#### CDE LEGAL ADVISORIES

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

#### WEB SITES

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

*School/Law Enforcement Partnership:*

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

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

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

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



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| <b>Section 3: Disaster Procedures</b> |
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| <a href="#">Part 1: General Information - Disaster</a> |
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South El Monte High School and the El Monte Union High School District will take all necessary measures to keep students, staff and visitors safe in the event of a disaster. The following sections of this plan outline basic responsibilities for all staff for specific incidents

The El Monte Union High School District has developed a Standardized Emergency Management System (SEMS) Plan that outlines in more detail, specific responsibilities for Emergency Response Teams at this school.

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| <a href="#">Part 2: Biological/Chemical Weapons Assault</a>       |

Biological and chemical weapons are unconventional warfare tactics that can be deployed upon the public with little or no notice. Such weapons typically involve microscopic materials that may be organic or synthetically manufactured in laboratories. Biological or chemical weapons can be in powder form, liquid, or vaporous. Agents used in biological/chemical attacks include, but are not limited to: anthrax, smallpox, other harmful viruses, various forms of nerve gas, tear gas, and other vaporous irritants. Pranks using stink bombs should also be considered a chemical weapons attack.

There are several possible dispersion techniques to deliver biological and chemical agents. The following procedures should be utilized in the event of an assault involving biological or chemical weapons.

Any possible biological/chemical weapons assault should be reported immediately to the principal.

The principal should notify law enforcement authorities immediately.

As necessary alert all site employees of the situation by intercom.

If the agent is delivered via aircraft:

- All staff and students should be moved indoors.
- Keep students inside and take roll.
- Close and secure all doors and windows.
- Ensure that the HVAC is shut down.
- Cover vents with plastic or thick paper using tape to create a seal.
- Inspect all windows and doors for cracks, gaps, or holes. Cover any with plastic or thick paper using tape to create a seal.
- Remain in this area until notified to leave by the principal, principal's designee or officers of emergency response agencies.
- Immediately report any injuries or illnesses to the principal, principal's designee or officers of emergency response agencies.

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| Part 2: Biological/Chemical Weapons Assault                       |

If the agent is delivered via dispersion device that is outdoors:

- All staff and students should be moved indoors.
- Keep students inside and take roll.
- Close and secure all doors and windows.
- Ensure that the HVAC is shut down.
- Cover vents with plastic or thick paper using tape to create a seal.
- Inspect all windows and doors for cracks, gaps, or holes. Cover any with plastic or thick paper using tape to create a seal.
- Remain in this area until notified to leave by the principal, principal's designee or officers of emergency response agencies.
- Immediately report any injuries or illnesses to the principal, principal's designee or officers of emergency response agencies.

If the agent is delivered via dispersion device that is indoors:

- All staff and students should be evacuated to the school's normal outdoor evacuation assembly area unless that area may be affected by the assault. Role should be taken.
- Remain in this area until notified to leave by the principal, principal's designee or officers of emergency response agencies.
- The HVAC system should be shut down.

If the agent is delivered via the school's HVAC system:

- All staff and students should be evacuated to the school's normal outdoor evacuation assembly area unless that area may be affected by the assault. Role should be taken.
- Remain in this area until notified to leave by the principal, principal's designee or officers of emergency response agencies.
- The HVAC system should be shut down.

In any situation involving biological or chemical weapons the principal and staff must follow all instructions given by officers of emergency response agencies. The District EOC will develop an action plan to handle telephone inquiries, rumor control, media relations, public information, employee/student crisis counseling, and facility damage assessment/control

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| <a href="#">Part 3: Bomb Threat Procedures</a>                    |

If you observe a suspicious object or potential bomb on property, DO NOT HANDLE THE OBJECT, IMMEDIATELY NOTIFY 9-1-1.

## 1. Receiving the Call

Make every attempt to keep the caller on the phone as long as possible to gain information. Try if possible, to determine the gender and age of caller. Try if possible, to get the caller to tell you the exact location of the bomb and the time of threatened detonation.

## 2. Notification Procedures

School Site; communicate the above information to the following in this order:

- Principal
- Administrator Designee
- Counselor

The Principal/administrator will notify local law enforcement and the District Superintendent's office.

District Office will communicate the above information to the Superintendent's Office. The Superintendent's office will notify local law enforcement.

Strictly follow the above notification procedures and do not discuss or notify others of the bomb threat since this may create an unwarranted panic response at the facility.

## 3. Action Plan Procedures

If required to develop an action plan, the principal/administrator may consult with the following: other administrators, head counselor, head custodian utilizing their expertise.

If the location of the bomb is not specifically designated, students will be kept in the classroom.

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| Part 3: Bomb Threat Procedures |
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The principal will make the decision to evacuate the building. However, if possible, this decision should be made in conjunction with law enforcement authorities after they arrive at the site.

The decision to search the building will be made in conjunction with law enforcement authorities and performed by them.

Reoccupation of an evacuated building will be authorized by the principal only after consulting with law enforcement authorities.

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| <a href="#">Part 4: Chemical or Hazardous Material Incident</a>   |

If a hazardous material incident occurs off site, stay indoors and close all doors and windows (referred to as taking “Shelter in Place”).

Notify 9-1-1 of the Chemical or Hazardous Material Incident.

If possible, determine the location of the spill in relation to facility buildings and wind direction.

Do not evacuate buildings until you are sure you will not be evacuating into an area which may be more hazardous.

Follow all instructions given by the Fire Department when they arrive at the facility.

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| <a href="#">Part 5: Earthquake Procedures</a> |
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## Indoors

**DUCK, COVER, AND HOLD.**

Get under desk or table. Move away from windows and objects that could fall. Stay under desk or table until shaking stops.

## Outdoors

Move away from building, utility poles and vehicles. Avoid all down wires or electrical lines. Do not run.

## In School Bus

Stop vehicle in safe location away from power lines, overpasses or large buildings. Stay in vehicle and establish radio contact with Transportation and/or District E.O.C.

## General

Be prepared for immediate aftershocks and ground motion

Evaluate immediate area for earthquake related hazards (fire, building collapse, gas leaks, broken electrical lines, wires etc.)

Evaluate immediate area (classroom, bus, etc.) for injuries or medical aid situations.

Call 9-1-1, if you have an immediate emergency such as a fire or serious injury.

Assist injured with First Aid treatment

Do not evacuate buildings or vehicles unless you have a hazard-related reason to do so.

Conduct a headcount to account for all personnel and students

Establish communications with your supervisor, principal or District EOC and follow emergency checklist and procedures.

Assist any police or fire units that respond to your location.

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| Section 3: Disaster Procedures  |
| <a href="#">Part 6: Explosion, Aircraft Crash or Similar Incident</a> |

If possible, Duck and Cover under a desk or table.

Notify 9-1-1 of the explosion or crash

Assist any injured requiring first aid treatment

If necessary because of fire, building damage etc., evacuate building

Assist any persons who would have physical problems evacuating the building.

Go to an outdoor evacuation/assembly area which is hazard free and not affected by the explosion or crash.

Keep fire lanes, streets and walkways open for emergency responders.

Stay in assembly area and account for all personnel and students.

Do not return to buildings until authorized by fire department or principal



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| <a href="#">Part 7: Fire Procedures</a> |
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Call 9-1-1 to report a fire, stay one line and give specific information (name, address of school or facility).

Utilize manual pull station to activate building alarm system and evacuate building when you hear an alarm.

In the event of a small fire, notify 9-1-1 and then use the nearest fire extinguisher to control the fire if you have been trained in their use.

Do not attempt to fight large fires, call 9-1-1 and evacuate building.

Assist students in building evacuation and proceed to outdoor school evacuation area or areas.

When evacuating buildings walk, do not run.

Do not use elevators for building evacuation or in an emergency.

If heavy smoke is present, crawl or stay near floor for breathable air.

Assist any individuals who would have physical problems evacuating the building.

Stay in the designated assembly area and account for all personnel and students.

Do not block fire lanes or areas used by the fire department

Do not re-enter building until authorized by fire department or the principal.

If the fire is off site, wait for instructions from the principal or District EOC.

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| <a href="#">Part 8: Flood Procedures</a> |
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If a flood warning is received by a District school or site, notify the District Superintendent immediately.

If a major flood warning is received at the District Office, the District EOC should be activated.

Based upon the specific threat, the District EOC in conjunction with the Operational Area EOC and SEMS system will develop an action plan to protect personnel, students and facilities.

Evacuation of specific schools, facilities or areas will be directed by the District EOC in coordination with SEMS.

# Comprehensive School Safety Plan

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| South El Monte High School<br>El Monte Union High School District |
| Section 3: Disaster Procedures                                    |
| <a href="#">Part 9: Lockdown/Civil Unrest Procedures</a>          |

Any threatening disturbance should be reported immediately to the Principal/Administrator.

If the disturbance is affecting normal school or facility operations, the Principal/Administrator should notify law enforcement authorities immediately.

As necessary, alert all site employees of the situation by intercom, Site staff must follow the instructions below:

If you are inside:

- Close and lock all doors and windows immediately upon notification of situation
- Keep all students inside and take roll
- If feasible, move all students to a center point and keep low to the ground. Stay away from all doors and windows.
- Never open the door or window to anyone
- Keep students inside classroom, regardless of lunch or recess until you are told by the principal or principal's designee that the situation has been resolved.

If you are outside:

- Immediately have students and staff seek shelter if it is safe to do so. Drill with students and staff to go to the nearest room to them.
- If shelter is not available, ensure students lie flat on the ground immediately.
- Children in restrooms should be instructed to stay there until directed to exit by the principal or principal's designee.

If situation is violent and may include the use of firearms, the principal or principal's designee should instruct all staff and students to lie face down on the floor and remain immobile.

Principal and staff must follow all instructions given by responding law enforcement.

If the event is major, the Superintendent will activate the District EOC to develop an Action Plan to deal with the situation as well as the following:

- A. Telephone inquiries and rumor control
- B. Media relations and public information
- C. Employee/Student crisis counseling
- D. Facility damage assessment/control

# Comprehensive School Safety Plan

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| Section 3: Disaster Procedures |
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| <a href="#">Part 10: Severe Windstorm Procedures</a> |
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If a severe wind warning is received at a District school or site, notify the District Superintendent immediately.

If a severe wind warning is received at the District Office, the District EOC should be activated.

Based upon the specific threat, the District EOC in conjunction with the Operational Area EOC or City EOC will develop an action plan to protect personnel, students and facilities.

In general, if severe winds are affecting a school or facility, employees and students should be moved to the interior core area of the building (inside wall on the ground floor) away from outside windows and doors.

Close all windows and blinds and avoid auditoriums, gymnasiums and other building locations that have large roof areas or spans.

Avoid all areas that have large concentrations of electrical equipment or power cables.

Evacuation of specific schools, facilities or areas will be directed by the District EOC in coordination with SEMS.

# Comprehensive School Safety Plan

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| South El Monte High School<br>El Monte Union High School District |
| Section 3: Disaster Procedures                                    |
| Part 11: Suspicious Mail/Packages                                 |

All incoming mail and packages should be handled with caution.

Below are Indicators of suspicious mail and steps to take in the event that suspicious mail is received.

Mail that ...

- ... is unexpected or from an unfamiliar source
- ... has excessive postage
- ... is addressed to someone who no longer works in the District
- ... is addressed to a current employee but with the wrong title
- ... contains several misspelled words on the envelope
- ... marked with restrictive endorsements such as "Personal" or "Confidential"
- ... has no return address or an address that cannot be verified
- ... mail that is from a foreign country
- ... shows a city or state in the postmark that doesn't match the return address
- ... is lopsided, oddly shaped, or has an unusual weight, given its size
- ... has protruding wires, strange odors or stains
- ... has powdery substance on the outside
- ... has an unusual amount of tape on it
- ... is ticking or making unusual sounds

Not all mail comes perfectly packaged or with accurate information on it, so it is important that employees handling mail remain sensible in the screening of mail. However, prudent scrutiny conducted in a reasonable manner can greatly reduce the school's chances of becoming the victim of attack by mail.

# Comprehensive School Safety Plan

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| Section 3: Disaster Procedures                                    |
| Part 11: Suspicious Mail/Packages                                 |

What to do with suspicious mail (general response):

- Do not try to open the package or envelope.
- Do not sniff, taste or shake the package.
- Isolate the package.
- Evacuate the immediate area; close the door.
- Contact your supervisor and call 911.

Response to mail suspected of delivering biological/chemical agents in powder form:

- Do not open an envelope or package with powder on the outside.
- If powder is spilled from an envelope or package, do not try to clean up the powder.
- Cover the spilled contents immediately with anything (clothing, paper, trash can).
- Do not remove this cover.
- Leave the room and close the door or otherwise prevent access to the room.
- Wash your hands with soap and hot water.
- Ensure that everyone who had contact with the piece of mail washes his/her hands with soap and hot water.
- Notify your supervisor.
- Supervisor should immediately contact the local police (911) or the U.S. Postal Inspection Service (626-405-1200).
- Supervisor should notify the District Superintendent's Office.
- Remove heavily contaminated clothing as soon as possible and place inside a plastic bag or some other container that can be sealed. This clothing should be given to the responding emergency response units.
- Shower with soap and water as soon as possible. Do not use bleach or other disinfectant on your skin.
- Make a list of all the people who were in the room or area, especially those who had contact with the envelope or package. Provide this list to the emergency response teams investigating the incident.
- Investigators will remove the envelope or package and conduct a thorough check of the area for contamination.
- If you are prescribed medicine as a result of this exposure, take it until instructed or until it runs out.

NOTE: Contacting the U.S. Postal Service is less likely to create a media event than the local police but their response may be slower.

# Comprehensive School Safety Plan

South El Monte High School  
El Monte Union High School District

## Section 4: Notification of Dangerous Pupils

### Part 1: Notifying Teachers of Dangerous Pupils

When the **Principal** at **Ledesma HS** is aware that a student has caused or tried to cause another person serious bodily injury, or any injury that requires professional medical treatment, a separate and confidential file is created for that child. Information based upon written District records or records received from a law enforcement agency are contained in the file.

When such a student is assigned to a teacher's classroom, the principal shall provide the teacher with written notification. The teacher is asked to review the student's separate and confidential file in the office. Teachers are informed that such information is to be kept in strictest confidence and is to disseminate no further.

Excerpts from the California Education Code, the California Penal Code and El Monte Union High School Administrative Regulations are presented below.

From California Education Code Section 49079

- (a) A school district shall inform the teacher of every student who has caused or who has attempted to cause serious bodily injury to another person, as defined in paragraphs (5) and (6) of subdivision (e) of Section 243 of the Penal Code, to another person. The District shall provide the information to the teacher based on any written records that the District maintains or receives from a law enforcement agency regarding a student described in this section.
- (b) No school district shall be liable for failure to comply with this section if, in a particular instance, it is demonstrated that the district has made a good faith effort to notify the teacher.
- (c) The information provided shall be from the previous three (3) school years.
- (d) Any information received by a teacher pursuant to this section shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher.

From California Penal Code Section 243(e) – Paragraphs 5 and 6

- (5) ... "Injury" means any physical injury which requires professional medical treatment.
- (6) ... "Custodial Officer" means any person who has the responsibilities and duties and who is employed by a law enforcement agency of the city or county or who performs those duties as a volunteer.

# Comprehensive School Safety Plan

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| South El Monte High School<br>El Monte Union High School District |
| Section 4: Notification of Dangerous Pupils                       |
| Part 1: Notifying Teachers of Dangerous Pupils 4158, 4258, 4358   |

From **EMUHSD** Administrative Regulations 4258 – Employee Security

## **EMPLOYEE SECURITY**

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

*(cf. 5131.7 - Weapons and Dangerous Instruments)*  
*(cf. 5144 - Discipline)*

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

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

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

*(cf. 3515.2 - Disruptions)*

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

An employee whose person or property is injured or damaged by willful misconduct of a student may ask the district to pursue legal action against the student or the student's parent/guardian. (Education Code 48905)

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



# Comprehensive School Safety Plan

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| South El Monte High School<br>El Monte Union High School District |
| Section 4: Notification of Dangerous Pupils                       |
| Part 1: Notifying Teachers of Dangerous Pupils                    |

From **EMUHSD** Administrative Regulations 4158, 4258, 4358 – Employee Security  
(Continued)

## Notice Regarding Student Offenses Committed While Under School Jurisdiction

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

*(cf. 5125 - Student Records)*

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

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

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

# Comprehensive School Safety Plan

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| South El Monte High School<br>El Monte Union High School District |
| Section 4: Notification of Dangerous Pupils                       |
| Part 1: Notifying Teachers of Dangerous Pupils                    |

From **EMUHSD** Administrative Regulations 4158, 4258, 4358 – Employee Security  
(Continued)

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

When a minor student has been found by a court of competent jurisdiction to have illegally used, sold or possessed a controlled substance or committed specified crimes involving serious acts of violence, the district police or security department may provide written notification to the Superintendent. (Welfare and Institutions Code 828.1)  
*(cf. 3515.3 - District Police/Security Department)*

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

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

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

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

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

# Comprehensive School Safety Plan

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| South El Monte High School<br>El Monte Union High School District |
| Section 4: Notification of Dangerous Pupils                       |
| Part 1: Notifying Teachers of Dangerous Pupils                    |

From EMUHSD Administrative Regulations 4158, 4258, 4358 – Employee Security  
(Continued)

## Procedures to Maintain Confidentiality of Student Offenses

In order to maintain confidentiality when providing information about student offenses to counselors and teachers of classes/programs to which a student is assigned, the principal or designee shall send the staff member a written notification requesting him/her to review a student's file in the school office as soon as practicable. This notification shall not name or otherwise identify the student. The staff member shall be asked to initial the notification and return it to the principal or designee.

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

## Use of Pepper Spray

Employees who possess pepper spray on school property shall be notified of the following conditions:

1. The pepper spray shall be used only in self-defense.
2. An employee who uses pepper spray other than in self-defense shall be subject to disciplinary action by the district and, in accordance with law, a fine and/or imprisonment.

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

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

3. The employee shall ensure that the pepper spray is stored in a secure place and not accessible to students or other individuals. An employee who is negligent in the storage of pepper spray may be subject to disciplinary action.

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| South El Monte High School<br>El Monte Union High School District |
| Section 4: Notification of Dangerous Pupils                       |
| Part 1: Notifying Teachers of Dangerous Pupils                    |

From **EMUHSD** Administrative Regulations 4158, 4258, 4358 – Employee Security  
(Continued)

## Reporting of Injurious Objects

The Board requires school employees to take immediate action upon being made aware that any person is in possession of an injurious object on school grounds or at a school-related or school-sponsored activity. The employee shall use his/her own judgment as to the dangerousness of the situation and, based upon this analysis, shall do one of the following:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal, who shall take appropriate action
3. Immediately notify the local law enforcement agency and the principal

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

*(cf. 5144. - Discipline)*

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

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

When informing the principal about the possession or seizure of a weapon or dangerous device, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

The teacher shall initial the student's file when reviewing it in the school office. Once the district has made a good faith effort to comply with the notification requirement of Education Code 49079, a teacher's failure to review the file may be construed as a waiver of the district's liability.

# Comprehensive School Safety Plan

South El Monte High School  
El Monte Union High School District

## Section 5: Suspension and Expulsion/Due Process

### Part 1: Definitions

#### From EMUHSD Administrative Regulations 5144.1 – Suspension and Expulsion/Due Process Definitions

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

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

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

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

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

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

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

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

# Comprehensive School Safety Plan

South El Monte High School  
El Monte Union High School District

## Section 5: Suspension and Expulsion/Due Process

### Part 2: Notice of Regulations

#### Notice of Regulations

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

*(cf. 5144 - Discipline)*

*(cf. 5145.6 - Parental Notifications)*

# Comprehensive School Safety Plan

South El Monte High School  
El Monte Union High School District

## Section 5: Suspension and Expulsion/Due Process

### Part 2: [Grounds for Suspension and Expulsion](#)

#### Grounds for Suspension and Expulsion - AR 5144.1

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

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

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

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

*(cf. 5131 - Conduct)*

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

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

*(cf. 5131.6 - Alcohol and Other Drugs)*

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

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

# Comprehensive School Safety Plan

South El Monte High School  
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## Section 5: Suspension and Expulsion/Due Process

### Part 2: Grounds for Suspension and Expulsion

Continued From **EMUHSD** Administrative Regulations 5144.1, 5144; Board Policy 5144.1

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))
7. Stole or attempted to steal school property or private property. (Education Code 48900(g))
8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products. (Education Code 48900(h))
9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))
10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))
11. Disruptive school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.  
Except as provided in Section 48910, a pupil enrolled in kindergarten or any of the grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision, and the subdivision shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive to be recommended for expulsion. This paragraph shall become inoperative on July 1, 2018, unless a later enacted statute that becomes operative before July 1, 2018, deletes or extends that date. (Education Code 48900.k (1) (2))
12. Knowingly received stolen school property or private property. (Education Code 48900(l))



13. Possessed an imitation firearm, i.e., a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))

## Comprehensive School Safety Plan

South El Monte High School  
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### Section 5: Suspension and Expulsion/Due Process

#### Part 2: Grounds for Suspension and Expulsion

Continued From **EMUHSD** Administrative Regulations 5144.1, 5144; Board Policy 5144.1

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

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

*Note: AB 662 (Ch. 151, Statutes of 2002) amended Education Code 48900 to authorize the suspension or expulsion of a student for selling the prescription drug Soma, a date-rape drug.*

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

*Note: Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, 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.*

17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050.

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

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

*Note: Pursuant to Education Code 48900.2, the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.*

# Comprehensive School Safety Plan

South El Monte High School  
El Monte Union High School District

## Section 5: Suspension and Expulsion/Due Process

### Part 2: Grounds for Suspension and Expulsion

#### Continued From EMUHSD Administrative Regulations 5144.1, 5144; Board Policy 5144.1

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

*(cf. 5145.7 - Sexual Harassment)*

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

20. 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)

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

*Note: AB 1901 (Ch. 643, Statutes of 2002) amended Education Code 48900.4 to include harassment against school district personnel, in addition to harassment against students, as one of the grounds for suspension or expulsion of a student.*

21. 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)

22. Engaged in an act of bullying, including, but not limited to, bullying by means of an electronic act directed toward a student or school personnel

*(cf. 5145.3 - Nondiscrimination/Harassment)*

# Comprehensive School Safety Plan

South El Monte High School  
El Monte Union High School District

## Section 5: Suspension and Expulsion/Due Process

### Part 2: Grounds for Suspension and Expulsion

#### Continued From EMUHSD Administrative Regulations 5144.1, 5144; Board Policy 5144.1

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

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

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

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

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

*(cf. 5113 - Absences and Excuses)*

*(cf. 5113.1 - Truancy)*

# Comprehensive School Safety Plan

South El Monte High School  
El Monte Union High School District

## Section 5: Suspension and Expulsion/Due Process

### Part 4: Removal from Class by a Teacher/Parental Attendance

Continued From EMUHSD Administrative Regulations 5144.1, 5144; Board Policy 5144.1

#### Removal from Class by a Teacher/Parental Attendance

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

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

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

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

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

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

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

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

When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

## Comprehensive School Safety Plan

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| <b>Section 5: Suspension and Expulsion/Due Process</b> |
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| <a href="#">Part 4: Removal from Class by a Teacher/Parental Attendance</a> |
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**Continued From EMUHSD Administrative Regulations 5144.1, 5144; Board Policy 5144.1**

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
2. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

# Comprehensive School Safety Plan

South El Monte High School  
El Monte Union High School District

## Section 5: Suspension and Expulsion/Due Process

### Part 5: Suspension by Superintendent, Principal, or Principal's Designee

Continued From EMUHSD Administrative Regulations 5144.1, 5144; Board Policy 5144.1

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

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

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

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

*Note: Pursuant to 18 USC 921, an explosive means destructive device and includes, but is not limited to, any explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or similar device. A destructive device also includes any other type of weapon (except a shotgun or shotgun shell recognized by the United States Secretary of Army as suitable for sporting purposes) which might be converted to project an explosive.*

5. Possession of an explosive as defined in 18 USC 921

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

# Comprehensive School Safety Plan

South El Monte High School  
El Monte Union High School District

## Section 5: Suspension and Expulsion/Due Process

### Part 5: Suspension by Superintendent, Principal, or Principal's Designee

#### Continued From EMUHSD Administrative Regulations 5144.1, 5144; Board Policy 5144.1

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

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

Suspensions shall be initiated according to the following procedures:

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

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

In such case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911(c))

# Comprehensive School Safety Plan

South El Monte High School  
El Monte Union High School District

## Section 5: Suspension and Expulsion/Due Process

[Part 5: Suspension by Superintendent, Principal, or Principal's Designee](#)

**Continued From EMUHSD Administrative Regulations 5144.1, 5144; Board Policy 5144.1**

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

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

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

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

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

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

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



# Comprehensive School Safety Plan

South El Monte High School  
El Monte Union High School District

## Section 5: Suspension and Expulsion/Due Process

[Part 5: Suspension by Superintendent, Principal, or Principal's Designee](#)

**Continued From EMUHSD Administrative Regulations 5144.1, 5144; Board Policy 5144.1**

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

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| South El Monte High School<br>El Monte Union High School District |
| Section 5: Suspension and Expulsion/Due Process                   |
| Part 6: On-Campus Suspension Program                              |

## On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

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| Section 5: Suspension and Expulsion/Due Process  |
| Part 7: Authority to Expel, Mandatory Recommendation for Expulsion, Mandatory Recommendation and Mandatory Expulsion |

## Authority to Expel

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

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

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

## Mandatory Recommendation for Expulsion

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

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

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| South El Monte High School<br>El Monte Union High School District  |
| Section 5: Suspension and Expulsion/Due Process  |
| Part 7: Authority to Expel, Mandatory Recommendation for Expulsion, Mandatory Recommendation and Mandatory Expulsion |

## Mandatory Recommendation and Mandatory Expulsion

*Note: The Attorney General has determined, in 80 Ops.Cal.Atty.Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.*

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

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

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

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| South El Monte High School<br>El Monte Union High School District |
| Section 5: Suspension and Expulsion/Due Process                   |
| Part 8: Student's Right to Expulsion Hearing                      |

## Student's Right to Expulsion Hearing

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

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

If the Board finds it impractical during the school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as 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))

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## Stipulated Expulsion

A stipulated expulsion agreement is made when a student's parent or guardian agrees that the student did commit an act included in the reasons for expulsion and is being recommended for expulsion.

A stipulated expulsion is based on a signed agreement between the district and the parent/guardian to bypass the expulsion hearing process; the parent/guardian has agreed to the expulsion order, and the district will recommend expulsion to the governing board.

Regardless, the parent/guardian is to be informed of the student's right to an administrative hearing. Copies of the district's board policies and administrative regulations governing expulsion proceedings are to be provided.

As part of reaching a stipulated agreement, the student and a parent or guardian will meet with the school principal. They will review the evidence gathered in the investigation of the incident leading to the expulsion recommendation. At that time, if they agree to a stipulated decision, the student, parent or guardian and the principal must all initial and agree upon the following:

1. The evidence presented by the school and the circumstances leading up to the expulsion recommendation are undisputable.
2. The expulsion order is an appropriate consequence to the student's misconduct.
3. It is unnecessary to convene an administrative hearing panel.
4. The parent/guardian wishes to expedite the expulsion process.
5. It is in the best interest of the student and the district.
6. The parent/guardian agrees to the duration, alternative placement and rehabilitation plan during the period of the expulsion order.

As part of a stipulated agreement, the student's parent or guardian waives a number of rights:

1. The right to an expulsion hearing.
2. All notices and timelines required by policy or law.
3. The right to be represented by an attorney at the expulsion hearing.

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4. The right to inspect and have copies of the documents which would have been used at the hearing.
5. The right to confront and question all witnesses who would have testified at the hearing.
6. The right to question all written evidence presented.
7. The right to present witnesses and evidence on the student's behalf.
8. The right to appeal to the county Board of Education if the stipulated expulsion is approved by the Board of Trustees as agreed upon.

A student's parent or guardian may consult with an attorney about the stipulated expulsion process. The Board of Trustees must still vote to approve a stipulated expulsion agreement.

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| Section 5: Suspension and Expulsion/Due Process                   |
| Part 10: Rights of Complaining Witness                            |

## Rights of Complaining Witness

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

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

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

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



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| South El Monte High School<br>El Monte Union High School District |
| Section 5: Suspension and Expulsion/Due Process                   |
| Part 11: Written Notice of the Expulsion Hearing                  |

## Written Notice of the Expulsion Hearing

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

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

*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.

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

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

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| Section 5: Suspension and Expulsion/Due Process                   |
| Part 12: Conduct of Expulsion Hearing                             |

## Conduct of Expulsion Hearing

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

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

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

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

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

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

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

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

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

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

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

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

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

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- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a non-threatening environment.
  - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
  - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
  - (3) The person conducting the hearing may:

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(a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness

(b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours

(c) Permit one of the support persons to accompany the complaining witness to the witness stand

6. Decision Within 10 School Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

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

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| South El Monte High School<br>El Monte Union High School District               |
| Section 5: Suspension and Expulsion/Due Process                                 |
| Part 13: Alternative Expulsion Hearing: Hearing Officer or Administrative Panel |

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

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

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

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the student shall be immediately reinstated. The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (Education Code 48918(e)) The decision to not recommend expulsion shall be final. (Education Code 48918(f))

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

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion for a period of one year.

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

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| Part 14: Final Action by the Board                                |

## Final Action by the Board

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

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

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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

If an expulsion is ordered during the summer session, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session in which the expulsion occurred.

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

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

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



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| Section 5: Suspension and Expulsion/Due Process                   |
| Part 15: Written Notice to Expel                                  |

## Written Notice to Expel

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

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

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| Part 16: Decision Not to Enforce Expulsion Order                  |

## Decision Not to Enforce Expulsion Order

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

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

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

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

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6. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board of Education.

7. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(j)).

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| South El Monte High School<br>El Monte Union High School District |
| Section 5: Suspension and Expulsion/Due Process                   |
| Part 16: Right to Appeal  |

## Right to Appeal

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

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

# Comprehensive School Safety Plan

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| South El Monte High School<br>El Monte Union High School District |
| Section 5: Suspension and Expulsion/Due Process                   |
| Part 17: Post-Expulsion Placements                                |

## Post-Expulsion Placements

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

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

*(cf. 6185 - Community Day School)*

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #18 through #21 under “Grounds for Suspension and Expulsion” above may be instead referred to a program of study that is provided at another comprehensive high school. (Education Code 48915)

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| South El Monte High School<br>El Monte Union High School District |
| Section 5: Suspension and Expulsion/Due Process                   |
| Part 18: Readmission After Expulsion                              |

## Readmission After Expulsion

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)

2. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met.

School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.

3. The Superintendent or designee shall make a determination regarding readmission based on the student's successful completion of the provisions outlined in the rehabilitation plan.

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

5. The Board or designee 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 or designee denies the readmission of a student, the designee shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)

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| South El Monte High School<br>El Monte Union High School District |
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| Part 18: Readmission After Expulsion                              |

6. The Board or designee shall provide written notice to the expelled student and parent/guardian describing the reasons for denying re-admittance into the regular program. This notice shall indicate the designee's determination of the educational program which the designee 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)

# Comprehensive School Safety Plan

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| South El Monte High School<br>El Monte Union High School District |
| Section 5: Suspension and Expulsion/Due Process                   |
| Part 19: Maintenance of Records                                   |

## Maintenance of Records

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

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

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

*(cf. 5125 - Student Records)*



# Comprehensive School Safety Plan

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| South El Monte High School<br>El Monte Union High School District |
| Section 5: Suspension and Expulsion/Due Process                   |
| Part 20: Notifications to Law Enforcement Authorities             |

## Notifications to Law Enforcement Authorities

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

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

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

# Comprehensive School Safety Plan

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| South El Monte High School<br>El Monte Union High School District |
| Section 5: Suspension and Expulsion/Due Process                   |
| Part 21: Outcome Data   |

## Outcome Data

The Superintendent or designee shall maintain the following data: (Education Code 48900.8, 48916.1)

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

# Comprehensive School Safety Plan

South El Monte High School  
El Monte Union High School District

## Section 6: Sexual Harassment Policy

### Part 1: General Information

The administration, teachers and staff at South El Monte High School actively strive to eliminate acts of sexual harassment at the school. All personnel are aware of the mandates from the State of California, the California Department of Education, and the Board of Education of the El Monte Union High School District and support them fully. All personnel have received instruction regarding the recognition, prevention, and reporting of acts of sexual harassment. It is important that parents understand the provisions regarding sexual harassment and, in particular, student-to-student harassment. In recent years, this area of sexual harassment has been more clearly delineated in federal and state legislation as well as in our District's policies.

# Comprehensive School Safety Plan

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| South El Monte High School<br>El Monte Union High School District |
| Section 6: Sexual Harassment Policy                               |
| <a href="#">Part 2: Sexual Harassment – All Personnel</a>         |

From **EMUHSD** Board Policy 4119.11- Sexual Harassment

## **SEXUAL HARASSMENT**

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

*(cf. 0410 – Nondiscrimination in District Programs and Activities)*  
*(cf. 4030 - Nondiscrimination in Employment)*

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

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

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

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

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

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

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

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| South El Monte High School<br>El Monte Union High School District |
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| <a href="#">Part 2: Sexual Harassment – All Personnel</a>         |

Complaints of sexual harassment shall be filed in accordance with AR 4031 – Complaints Concerning Discrimination in employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

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

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

*(cf. 4117.4 - Dismissal)*

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

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

From **EMUHSD** Administrative Regulations 4119.11, 4219.11, 4319.11 – Sexual Harassment

## Definitions

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

1. Submission to the conduct is made expressly or implicitly a term or condition of the individual's employment
2. Submission to or rejection of such conduct by the individual is used as the basis for an employment decision affecting him/her
3. The conduct has the purpose or effect of creating an intimidating hostile, or offensive work environment. The conduct is sufficiently severe, persistent, pervasive, or objectively offensive so as to create a hostile or abusive working environment or to limit the individual's ability to participate in or benefit from an education program or activity.

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| South El Monte High School<br>El Monte Union High School District |
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4. Submission to or rejection of the conduct by the other individual is used as the basis for any decision affecting him/her regarding benefits, services, honors, programs or activities available at or through the district

Other examples of actions that might constitute sexual harassment, whether committed by a supervisor or any other 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

Prohibited sexual harassment may also include any act of retaliation against an individual who reports a violation of the district's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

**This responsibility includes and/or discussing the district's sexual harassment policy with his/her students and/or employees and inform them that they are not required to endure sexually insulting, degrading, or exploitive treatment or any other form of sexual harassment.**

# Comprehensive School Safety Plan

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| South El Monte High School<br>El Monte Union High School District |
| Section 6: Sexual Harassment Policy                               |
| Part 2: Sexual Harassment – All Personnel                         |

## Notifications

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

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

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

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

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

### Notifications

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

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

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

# Comprehensive School Safety Plan

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| Section 6: Sexual Harassment Policy                               |
| Part 2: Sexual Harassment – All Personnel                         |

## Notifications - continued

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

7. The protection against retaliation provided by 2 CCR 7287.8 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigating, proceeding, or hearing conducted by DFEH and the EEOC

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



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| South El Monte High School<br>El Monte Union High School District |
| Section 6: Sexual Harassment Policy                               |
| Part 2: Sexual Harassment – All Personnel - Training              |

## Training

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

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

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

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| Section 6: Sexual Harassment Policy                               |
| <a href="#">Part 3: Sexual Harassment – Students</a>              |

## SEXUAL HARASSMENT

*Note: Education Code 231.5 mandates the district to have written policies on sexual harassment. The following policy addresses the harassment of and/or by students; for policy addressing the sexual harassment of employees, see BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment.*

*A school district can be held liable under Title IX (20 USC 1681-1688) for both student-on-student and employee-to-student sexual harassment. In Davis v. Monroe County Board of Education, the Supreme Court held that a district would be liable if it is deliberately indifferent to known student-on-student sexual harassment. The district would be deliberately indifferent if: (1) it had substantial control over the harasser and the context in which the sexual harassment occurred, (2) the harassment was so severe, pervasive and objectively offensive that it deprived the victim of access to educational opportunities or benefits provided by the district, (3) the district had actual knowledge of the harassment, and (4) the district's conduct was unreasonable considering the surrounding circumstances. These standards were applied by the Ninth Circuit Court of Appeals in Reese v. Jefferson School District, where the court concluded that the district could not be held liable since the student involved did not notify the district of any incident of harassment.*

*In Gebser v. Lago Vista Independent School District, the court held that a student cannot recover damages under Title IX for employee-to-student sexual harassment unless "a school district official who, at a minimum, has authority to institute corrective measures on the district's behalf has actual notice of, and is deliberately indifferent to, the employee's misconduct." In addition, the position of the Office of Civil Rights (OCR) as stated in its January 2001 Revised Sexual Harassment Guidance, is consistent with the court decisions.*

The Board of Trustees is committed to maintaining an educational environment that is free from harassment. The Board prohibits sexual harassment of students by other students, employees or other persons, at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against persons who complain, testify, assist or otherwise participate in the complaint process established pursuant to this policy and the administrative regulation.

# Comprehensive School Safety Plan

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| South El Monte High School<br>El Monte Union High School District |
| Section 6: Sexual Harassment Policy                               |
| <a href="#">Part 3: Sexual Harassment – Students</a>              |

## 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 gender
2. A clear message that students do not have to endure sexual harassment
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. Information about the person(s) to whom a report of sexual harassment should be made

*(cf. 5131.5 - Vandalism, Theft and Graffiti)*  
*(cf. 5137 - Positive School Climate)*  
*(cf. 5141.41 - Child Abuse Prevention)*  
*(cf. 5145.3 - Nondiscrimination/Harassment)*  
*(cf. 6142.1 - Family Life/Sex Education)*

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| South El Monte High School<br>El Monte Union High School District                                |
| Section 6: Sexual Harassment Policy  |
| <a href="#">Part 3: Sexual Harassment – Students / Prohibited and Types of Sexual Harassment</a> |

## **Sexual Harassment – Students AR 5145.7**

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 gender, in the educational setting, when: (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

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. 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, notes, stories, drawings, pictures or gestures
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-gender class

7. Massaging, grabbing, fondling, stroking or brushing the body

## **Comprehensive School Safety Plan**

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8. Touching an individual's body or clothes in a sexual way
9. Purposefully cornering or blocking normal movements
10. Displaying sexually suggestive objects

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| South El Monte High School<br>El Monte Union High School District        |
| Section 6: Sexual Harassment Policy                                      |
| <a href="#">Part 3: Sexual Harassment – Students - Complaint Process</a> |

## Complaint Process

Any student who feels that he/she is being or has been subjected to sexual harassment shall immediately contact his/her teacher or any other employee. A school employee to whom a complaint is made shall, within 24 hours of receiving the complaint, report it to the principal or designee.

Any school employee who observes any incident of sexual harassment involving a student shall report this observation to the principal or designee, whether or not the victim files a complaint.

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

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

*(cf. 5141.4 - Child Abuse Reporting Procedures)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

The principal or designee to whom a complaint of sexual harassment is reported shall immediately investigate the complaint in accordance with administrative regulation. Where the principal or designee finds that sexual harassment occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim. The principal or designee shall also advise the victim of any other remedies that may be available. The principal or designee shall file a report with the Superintendent or designee and refer the matter to law enforcement authorities, where required.

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

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| South El Monte High School<br>El Monte Union High School District                            |
| Section 6: Sexual Harassment Policy  |
| <a href="#">Part 3: Sexual Harassment – Students – Investigation of Complaints at School</a> |

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

1. The principal or designee shall promptly investigate all complaints of sexual harassment. In so doing, he/she shall talk individually with:
  - a. The student who is complaining
  - b. The person accused of harassment
  - c. Anyone who witnessed the conduct complained of
  - d. Anyone mentioned as having related information
2. The student who is complaining shall have an opportunity to describe the incident, present witnesses and other evidence of the harassment, and put his/her complaint in writing.
3. The principal or designee shall discuss the complaint only with the people described above. When necessary to carry out his/her investigation or for other good reasons that apply to the particular situation, the principal or designee also may discuss the complaint with the following persons:
  - a. The Superintendent or designee
  - b. The parent/guardian of the student who complained
  - c. If the alleged harasser is a student, his/her parent/guardian
  - d. A teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth
  - e. Child protective agencies responsible for investigating child abuse reports

*(cf. 5141.4 - Child Abuse Reporting Procedures)*

- f. Legal counsel for the district

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| South El Monte High School<br>El Monte Union High School District                            |
| Section 6: Sexual Harassment Policy  |
| <a href="#">Part 3: Sexual Harassment – Students – Investigation of Complaints at School</a> |

4. When the student who complained and the alleged harasser so agree, the principal or designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher, administrator or trained mediator. The student who complained shall never be asked to work out the problem directly with the accused person unless such help is provided and both parties agree.
5. In reaching a decision about the complaint, the principal or designee may take into account:
  - a. Statements made by the persons identified above
  - b. The details and consistency of each person's account
  - c. Evidence of how the complaining student reacted to the incident
  - d. Evidence of any past instances of harassment by the alleged harasser
  - e. Evidence of any past harassment complaints that were found to be untrue
6. To judge the severity of the harassment, the principal or designee may take into consideration:
  - a. How the misconduct affected one or more students' education
  - b. The type, frequency and duration of the misconduct
  - c. The number of persons involved
  - d. The age and gender of the person accused of harassment
  - e. The subject(s) of harassment
  - f. The place and situation where the incident occurred



- g. Other incidents at the school, including incidents of harassment that were not related to gender

## **Comprehensive School Safety Plan**

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| South El Monte High School<br>El Monte Union High School District                            |
| Section 6: Sexual Harassment Policy  |
| <a href="#">Part 3: Sexual Harassment – Students – Investigation of Complaints at School</a> |

7. The principal or designee shall write a report of his/her findings, decision, and reasons for the decision and shall present this report to the student who complained and the person accused.
8. If the principal or designee verifies that sexual harassment occurred, a report shall describe the actions taken to end the harassment, address the effects of the harassment on the student harassed, and prevent retaliation or further harassment.
9. Within two weeks after receiving the complaint, the principal or designee shall determine whether or not the student who complained has been further harassed. The principal or designee shall keep a record of this information and shall continue this follow-up.

# Comprehensive School Safety Plan

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| South El Monte High School<br>El Monte Union High School District            |
| Section 6: Sexual Harassment Policy  |
| <a href="#">Part 3: Sexual Harassment – Students – Disciplinary Measures</a> |

## Disciplinary Measures

Note: Pursuant to Education Code 48900.2, a student in grades 9-12 may be suspended and/or expelled from school for sexual harassment. Districts should note, however, that Education Code 48915(c) requires the Superintendent or designee to recommend expulsion for any student, irrespective of grade, who commits sexual assault or battery as defined in the Penal Code. See AR 5144.1 - Suspension and Expulsion/Due Process.

Any student who engages in sexual harassment of anyone 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 9 through 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.

## Record-Keeping

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

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

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

# Comprehensive School Safety Plan

South El Monte High School  
El Monte Union High School District

## Section 7: School Dress and Grooming

### [Part 1: Board Policy and Administrative Regulations](#)

From EMUHSD Board Policy 5132 – Student Dress and Grooming

#### **DRESS AND GROOMING**

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

*(cf. 4119.22 - Dress and Grooming)*  
*(cf. 5145.2 - Freedom of Speech/Expression)*

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

*(cf. 5144 - Discipline)*

#### **Gang-Related Apparel**

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

*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 5136 - Gangs)*

# Comprehensive School Safety Plan

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| <b>Section 8: Safe Ingress and Egress</b> |
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| <a href="#">Part 1: General Information</a> |
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South El Monte High School takes pride in being part of a school district that has a mission to provide a safe environment for all students, parents, and school employees. Our School will **take reasonable measures to provide** safe ingress and egress to and from the school for pupils, parents, and school employees. Safe ingress and egress will be maintained by periodic reviews of the procedures for ingress and egress. **All passageways to and from school buildings, corridors within school buildings and emergency exits are to remain clear of all obstruction to allow flow of pedestrian and vehicular traffic.** The school will also **take reasonable measures** that potential obstructions and hazards are removed from such areas. To achieve this goal, the school works closely with local law enforcement agencies and the city of **El Monte or South El Monte for a safe school environment and community.**

Through the joint efforts of the District office, site administrators, faculty, Safety Committee, PTSA, and other organizations, including consultants, South El Monte High School has developed a **sound plan for a** safe arrival and departure of students, staff, and visitors. South El Monte High School encourages input from our community and reviews this plan on an annual basis.

Any problems associated with safe ingress and egress will be addressed immediately.

# Comprehensive School Safety Plan

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| South El Monte High School<br>El Monte Union High School District |
| Section 8: Safe Ingress and Egress                                |
| <a href="#">Part 2: Safe Ingress and Egress</a>                   |

South El Monte High School has 12 exterior gates. However, there are only three entrances used for students to enter and exit. To promote ensure safety on campus for all, South El Monte High School is a closed campus. The schedule below indicates the *supervised* gates that are used for arrival and dismissal and their times of operation.

|                          | Open      | Closed    | Open      |
|--------------------------|-----------|-----------|-----------|
| Front of school (Office) | 7:00 a.m. | 4:00 p.m. |           |
| Back Gate                | 7:00 a.m. | 8:30 a.m. | 2:33 p.m. |
| Student parking lot      | 7:00 a.m. | 8:30 a.m. | 2:33 p.m. |

All adults are to enter *through the office and sign in the visitor's log*. All visitors to the school must wear a badge to identify themselves as visitors.

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| Section 8: Safe Ingress and Egress                                  |
| <a href="#">Part 3: Board Policy and Administrative Regulations</a> |

From EMUHSD Board Policy 1250 – Visitors/Outsiders:

## VISITORS/OUTSIDERS

The Board of Trustees believes that it is important for parents/guardians and community members to take an active interest in the issues affecting district schools and students. Therefore, the Board encourages interested parents/guardians and community members to visit the schools and participate in the educational program.

*(cf. 1240 - Volunteer Assistance)*  
*(cf. 5020 - Parent Rights and Responsibilities)*  
*(cf. 6020 - Parent Involvement)*

To ensure the safety of students and staff and minimize interruption of the instructional program, the Superintendent or designee shall establish procedures which facilitate visits during regular school days. Visits during school hours should be arranged with the principal or designee. When a visit involves a conference with a teacher or the principal, an appointment should be scheduled during non-instructional time.

*(cf. 6116– Classroom Interruptions)*

Any person who is not a student or staff member shall register immediately upon entering any school building or grounds when school is in session.

*(cf. 1112 - Media Relations)*

The principal or designee may provide a visible means of identification for all individuals who are not students or staff members while on school premises.

No electronic listening or recording device may be used by any person in a classroom without the teacher's and principal's permission. (Education Code 51512)

The Board encourages all individuals to assist in maintaining a safe and secure school environment by behaving in an orderly manner while on school grounds and by utilizing the district's complaint processes if they have concerns with any district program or employee. In accordance with Penal Code 626.7, the principal or designee may request that any individual who is causing a disruption, including exhibiting volatile, hostile, aggressive, or offensive behavior, immediately leave school grounds.

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

# Comprehensive School Safety Plan

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Continued From **EMUHSD** Board Policy 1250 – Visitors/Outsiders:

*(cf. 1312.2 - Complaints Concerning Instructional Materials)*

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 1312.4 - Williams Uniform Complaint Procedures)* recording device

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Continued From **EMUHSD** Administrative Regulations 1250 – Visitors/Outsiders

## Registration Procedure

In order to register, an outsider shall, upon request, furnish the principal or designee with the following information: (Penal Code 627.3)

1. His/her name, address and occupation
2. His/her age, if less than 21
3. His/her purpose for entering school grounds
4. Proof of identity
5. Other information consistent with the provisions of law

## Principal's Registration Authority

The principal or designee may refuse to register any outsider if he/she reasonably concludes that the individual's presence or acts would disrupt the school, students, or employees; would result in damage to property; or would result in the distribution or use of a controlled substance. The principal or designee or school security officer may revoke any outsider's registration if he/she has a reasonable basis for concluding that the individual's presence on school grounds would interfere or is interfering with the peaceful conduct of school activities or would disrupt or is disrupting the school, students or staff. (Penal Code 627.4)

*(cf. 3515.2 - Disruptions)*

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

When a visitor/outsider fails to register, or when the principal or designee denies or revokes a visitor/outsider's registration privileges, the principal or designee may request that the individual promptly leave school grounds. When a visitor/outsider is directed to leave, the principal or designee shall inform him/her that if he/she reenters the school within seven days he/she may be guilty of a misdemeanor subject to a fine and/or imprisonment. (Penal Code [627.7](#))



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Continued From **EMUHSD** Board Policy 1250 – Visitors/Outsiders:

## **Appeal Procedure**

Any person who is denied registration or whose registration is revoked may appeal to the Superintendent or principal by submitting, within five days after the person's departure from school, a written request for a hearing. This request must state why he/she believes the denial or revocation was improper and must provide an address to which the hearing notice may be sent. Upon receipt of the request for a hearing, the Superintendent or principal shall promptly mail a notice of the hearing to the person requesting it. A hearing before the Superintendent or principal shall be held within seven days after receipt of the request. (Penal Code 627.5)

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

*(cf. 1312.3 – Uniform Complaint Procedures)*

# Comprehensive School Safety Plan

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| South El Monte High School<br>El Monte Union High School District |
| Section 9: Rules and Procedures of School Discipline              |
| <a href="#">Part 2: Drugs, Tobacco, Alcohol</a>                   |

From EMUHSD Board Policy 5131.6 – Drugs, Tobacco, Alcohol

## ALCOHOL AND OTHER DRUGS

The Governing Board believes that the use of alcohol or other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. The Board desires to keep district schools free of alcohol and other drugs and desires that every effort be made to reduce student use of these substances. The Board perceives this effort as an important step towards preventing violence, promoting school safety and creating a disciplined environment conducive to learning.

The Superintendent or designee shall develop a comprehensive prevention and intervention program that is coordinated with other school and community based services and programs. The district's program shall be scientifically based and designed to prevent or reduce alcohol or other drug use and the possession and distribution of illegal drugs. The California Healthy Kids Survey will be used to monitor and determine the effectiveness of the district's program in reducing substance abuse. Evaluation will also include ongoing assessment and analysis of objective data regarding the incidence of substance abuse among district students, including discipline problems and prevalence of risk factors.

*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 1020 - Youth Services)*  
*(cf. 4020 - Drug and Alcohol-Free Workplace)*  
*(cf. 6020 - Parent Involvement)*

The Superintendent or designee shall clearly communicate to all students, staff and parents/guardians the district's policies, regulations and school rules related to the use of alcohol and other drugs on school campuses or at school activities. Information about program needs and goals shall be widely distributed in the community. District staff shall take every opportunity with county and county office of education staff in planning and implementing collaborative alcohol and drug prevention programs.

*(cf. 1100 - Communication with the Public)*  
*(cf. 5131.61 - Drug Testing)*  
*(cf. 5131.62 - Tobacco)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

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From **EMUHSD** Administrative Regulations 5131.6; Board Policy 5131.6 – Drugs, Tobacco, Alcohol

The Board expects staff to conduct themselves in accordance with the district's philosophy related to alcohol and other drugs. Staff should encourage students to participate as responsible partners in efforts to maintain a safe, constructive school climate.  
*(cf. 5137 - Positive School Climate)*

## **Drug Use and Abuse**

The administration shall practice the following procedures relative to student drug use and abuse on school property or whenever the student is under the jurisdiction of the schools. Alcohol is a drug, illegal for use by minors. Cases involving alcohol shall be treated in the same manner as for other drugs.

## **Tobacco**

The Governing Board recognizes that tobacco use presents serious health risks and desires to provide support and assistance in reducing the number of students who begin or continue to use tobacco. The Superintendent or designee shall establish a comprehensive program that includes consistent enforcement of laws prohibiting tobacco possession and use by students, tobacco use prevention education including youth development activities and intervention and cessation activities and/or referrals.

### **Prohibition Against Tobacco Use**

Students shall not possess, smoke, or use tobacco or any product containing tobacco or nicotine while on campus, while attending school-sponsored activities or while under the supervision and control of District employees. Prohibited products include, but not limited to, cigarettes, cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. (Ed. Code 48900, 48901)

*(cf. 3513.3 – Tobacco-Free Schools)*

Students' possession or use of nicotine delivery devices, such as electronic cigarettes, is also prohibited.

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From **EMUHSD** Administrative Regulations 5131.6; Board Policy 5131.6 – Drugs, Tobacco, Alcohol

## **Intervention**

District staff shall intervene whenever students use alcohol or other illegal drugs while on school property or under school jurisdiction. Staff members who have a reasonable suspicion that a student may be under the influence of alcohol or drugs shall immediately notify the principal or designee.

If the Principal or designee, in his/her professional capacity or in the course of his/her employment, known observes or suspects that a student may be under the influence of alcohol or drugs, he/she may notify the parent/guardian (Ed. Code 44049)

The staff shall intervene whenever students use alcohol or other illegal drugs while on school property or under school jurisdiction. Staff members who believe that a student may be under the influence of alcohol or drugs shall immediately notify the principal or designee.

If the principal or designee knows, observes or suspects that a student may be under the influence of alcohol or drugs, he/she may notify the parent/guardian. (Education Code 44049)

However, school staff shall not disclose confidential information provided during counseling by a student 12 years of age or older. School counselors may report such information to the principal or parent/guardian only when they believe that disclosure is necessary to avert a clear and present danger to the health, safety or welfare of the student or other persons living in the school community. They shall not disclose such information to the parent/guardian if they believe that the disclosure would result in a clear and present danger to the student's health, safety or welfare. (Education Code 44049, 49602)

*(cf. 5022 – Student and Family Privacy Rights)*

In cases of medical emergency, the principal or designee is authorized to call an ambulance to remove the student to a hospital. Parents/guardians will be notified of this action and shall be responsible for the incurred expenses.

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

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Continued From **EMUHSD** Administrative Regulations 5131.6; Board Policy 5131.6 – Drugs, Tobacco, Alcohol

## Enforcement/Discipline

Staff shall notify the principal or designee immediately upon suspecting a student is selling, providing or using alcohol or other drugs.

When any student uses, possesses or sells alcohol or illegal drugs at school or while under school jurisdiction, the following shall result:

1. Parent/guardian contact
2. Suspension or expulsion in accordance with law or Board policy

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

*Note: Education Code 48902 requires the principal or designee to notify law enforcement authorities of any student acts which may violate Education Code 48900(c) or (d), relating to alcohol and other illegal drugs, as noted in item #3 below. As amended by SB 232 (Ch. 205, Statutes of 1995), Education Code 48902 states that the willful failure to make this report is punishable by a fine. The principal or designee incurs no liability as a result of this report unless a false report was made knowingly or with reckless disregard for truth or falsity.*

3. Contact with law enforcement authority within one school day of the suspension (Education Code 48902)

In addition, the following actions may be taken:

1. Referral to an appropriate counseling program
2. Transfer/alternative placement
3. Restriction from all extracurricular activities, including athletics, for the length of the semester

*(cf. 6145 - Extracurricular and Curricular Activities)*

*Note: Health and Safety Code 11353.6 provides that persons age 18 or over who provide drugs to a minor must serve an additional term of three to five years, beyond existing penalties, when this felony occurs on or within 1,000 feet of school grounds. Persons age 18 or over who sell drugs to a minor four or more years their junior also must serve separate additional terms of imprisonment.*

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Continued From **EMUHSD** Administrative Regulations 3531.62 – TOBACCO

## **Tobacco-Use Prevention Education Program**

The district's tobacco-use prevention program shall provide students in grades 9-12 instruction which addresses the following topics: (Health and Safety Code 104420)

1. Immediate and long-term undesirable physiologic, cosmetic, and social consequences of tobacco use
2. Reasons that adolescents say they smoke or use tobacco
3. Peer norms and social influences that promote tobacco use
4. Refusal skills for resisting social influences that promote tobacco use

*(cf. 5131.6 - Alcohol and Other Drugs)*

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6143 - Courses of Study)*

As appropriate, the district shall provide or refer students in grades 9-12 to tobacco-use intervention and cessation activities. (Health and Safety Code 104420)

*(cf. 1020 - Youth Services)*

*(cf. 5141.6 - School Health Services)*

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

These services shall be directed toward current users and shall be voluntary for students who desire assistance in ceasing the use of tobacco.

In addition to targeting students who currently use tobacco, the district's program shall target students most at risk for beginning to use tobacco as identified through a local needs assessment.

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Continued From **EMUHSD** Administrative Regulations 3531.62 – TOBACCO

The district shall provide or refer every pregnant and parenting minor enrolled in the district to tobacco-use prevention services. Such services may be integrated with existing programs for pregnant and parenting minors and shall include: (Health and Safety Code 104460)

1. Referral to perinatal and related support services
2. Outreach services and assessment of smoking status
3. Individualized counseling and advocacy services
4. Motivational messages
5. Cessation services, if appropriate
6. Incentives to maintain a healthy lifestyle
7. Follow-up assessment
8. Maintenance and relapse prevention services shall be made to notify the student's parent/guardian before the personal search is made

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

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From **EMUHSD** LLCSD Board Policy 3513.3 – Tobacco-Free Schools/Smoking

## Notifications

Information about the district's tobacco-free schools policy and enforcement procedures shall be communicated clearly to employees, parents/guardians, students and the community. (Health and Safety Code 104420)

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

*(cf. 5145.3 - Parental Notifications)*

The Superintendent or designee may disseminate this information through annual written notifications, district and school websites, student and parent handbooks, and/or other appropriate methods of communication.

*(cf. 1113 - District and School Websites)*

Signs stating "Tobacco use is prohibited" shall be prominently displayed at all entrances to school property. (Health and Safety Code 104420)

## Enforcement/Discipline

Any employee or student who violates the district's tobacco-free schools policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate.

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

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

*(cf. 5144 - Discipline)*

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



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From **EMUHSD** LLCSD Board Policy 3513.3 – Tobacco-Free Schools/Smoking

Any other person who violates the district's policy on tobacco-free schools shall be informed of the district's policy and asked to refrain from smoking. If the person fails to comply with this request, the Superintendent or designee may:

1. Direct the person to leave school property
2. Request local law enforcement assistance in removing the person from school premises
3. If the person repeatedly violates the tobacco-free schools policy, prohibit him/her from entering district property for a specified period of time

*(cf. 1250 - Visitors/Outsiders)*

*(cf. 3515.2 - Disruptions)*

The Superintendent or designee shall not be required to physically eject a nonemployee who is smoking or to request that the nonemployee refrain from smoking under circumstances involving a risk of physical harm to the district or any employee. (Labor Code 6404.5)

(10/94 7/02) 3/11

The Superintendent or designee shall inform students, parents/guardians, employees and the public about this policy. All individuals on district premises share in the responsibility of adhering to this policy and informing appropriate school officials of any violations.

The Superintendent or designee shall maintain a list of clinics and community resources which assist employees and students who wish to stop using tobacco products.

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| <b>Section 10: Crime Assessment</b> |
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| <a href="#">Part 1: Crime Assessment</a> |
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In compliance with SB 187 and SB 334, **South El Monte High School** will compile statistics pertaining to school crime committed on school campuses and at school-related functions. The school will complete a *California Safe Schools Assessment – School Crime Reporting Form* for each incident that occurs on campus. Copies of these forms shall be inserted in Appendix M of this plan. The school will also insert an annual breakdown of incidents, by month. Information obtained will assist the school and the District in developing programs to reduce the incidence of crime on campus.

# Comprehensive School Safety Plan

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| Section 11: Bullying and Intimidation                             |
| Part 1: Bullying Policy   |

From **EMUHSD** Board Policy 5131.2 – Bullying

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

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

*(cf. 5131 - Conduct)*

*(cf. 5136 - Gangs)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

*(cf. 5145.9 - Hate-Motivated Behavior)* (cf. 5131 - Conduct)

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

*(cf. 5145.2 - Freedom of Speech/Expression)*

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

*(cf. 0420 - School Plans/Site Councils)*

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 1220 - Citizen Advisory Committees)*

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

*(cf. 6020 - Parent Involvement)* (cf. 5145.2 - Freedom of Speech/Expression)

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Continued From **EMUHSD** Board Policy 5131.2 – Bullying

## Bullying Prevention

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

*(cf. 5137 - Positive School Climate)*  
*(cf. 6164.2 - Guidance/Counseling Services)*

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

*(cf. 6142.8 - Comprehensive Health Education)*  
*(cf. 6142.94 - History-Social Science Instruction)*  
*(cf. 6163.4 - Student Use of Technology)*

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

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

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

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Continued From EMUHSD Board Policy 5131.2 – Bullying

## Complaints and Investigation

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying, see Exhibit 5131.2, "Bullying Reporting Form." Complaints of bullying shall be investigated and resolved in accordance with the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures.

*(cf. 1312.3 - Uniform Complaint Procedures)*

## Discipline

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

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

When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee shall file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

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

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

*(cf. 5144 - Discipline)*

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

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

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

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Continued From **EMUHSD** Board Policy 5131.2 – Bullying

## *Legal Reference:*

### EDUCATION CODE

*200-262.4 Prohibition of discrimination*

*32282 Comprehensive safety plan*

*35181 Governing board policy on responsibilities of students*

*35291-35291.5 Rules*

*48900-48925 Suspension or expulsion*

*48985 Translation of notices*

### PENAL CODE

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

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

*653.2 Electronic communication devices, threats to safety*

### UNITED STATES CODE, TITLE 47

*254 Universal service discounts (e-rate)*

### COURT DECISIONS

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

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

## *Management Resources:*

### CSBA PUBLICATIONS

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

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

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

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

### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

*Bullying at School, 2003*

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Continued From **EMUHSD** Board Policy 5131.2 – Bullying

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

*Dear Colleague Letter: Harassment and Bullying, October 2010*

### WEB SITES

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

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

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

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

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

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

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

### **Intervention**

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

*Note: Education Code 234.1, as amended by AB 9 (Ch. 723, Statutes of 2011), requires the district to adopt a process requiring school personnel who witness acts of discrimination, harassment, intimidation, or bullying to take immediate steps to intervene when safe to do so; also see BP 5145.3 - Nondiscrimination/Harassment.*

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

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

[Appendix A: SB 334 Text](#)

[Appendix B: SB 187 Text](#)

[Appendix C: Education Code Sections 35294 – 35294.9 Text](#)

[Appendix D: Suspected Child Abuse Report Form](#)

[Appendix E: Employee Acknowledgement of Child Abuse Reporting Requirements](#)

E 5141.4

# Comprehensive School Safety Plan

South El Monte High School  
El Monte Union High School District

## Section 12: Appendices

### CHILD ABUSE REPORTING REQUIREMENT

NOTE: PENAL CODE 11166.5 REQUIRES THAT THE WRITTEN STATEMENT INCLUDE THE FOLLOWING PROVISIONS.

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

‘Child care custodian’ includes teachers, administrative officers, supervisors of child welfare and attendance, or certificated pupil personnel employees of any public or private school; administrators of a public or private day camp; licenses, administrators or of employees community care facility licensed to care for children; Head Start teachers; licensing workers or licensing evaluators; public assistance workers; employees of a child care institution including, but not limited to, foster parents, group home personnel, and personnel of residential care facilities; and social workers or probation officers.

•Medical practitioner’ includes physicians and surgeons, psychiatrists, psychologists, dentists, residents, interns, podiatrists, chiropractors, licensed nurses, dental hygienists, any other persons who are licensed under Division 2 (commencing with Section 500) of the Business and Professions Code, or psychological assistants registered pursuant to Section 92913 of the Business and Professions Code.

‘Non-medical practitioner’ includes state or county public health employees who treat minors for venereal disease or any other condition; coroners; practitioners who diagnose, examine, or treat children.

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

Employee’s Signature \_\_\_\_\_

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



Appendix F: Disciplinary & Suspension Forms

Revised: 03/2014

EL MONTE UNION HIGH SCHOOL DISTRICT  
3537 Johnson Avenue, El Monte, CA 91731 (626) 444-9005

Notice of Suspension to Parents

Sex: Male  Female   
Grade: 9  10  11  12   
Special Program: Yes  No

Parent contacted by: Phone  Letter   
Conference  Reasonable Effort   
Section 504: Yes  No

Date: \_\_\_\_\_  
Total Days Suspended  
This Year: \_\_\_\_\_

Dear Parent/Guardian:

We wish to inform you that your son/daughter \_\_\_\_\_ School ID # \_\_\_\_\_ has been suspended from school at \_\_\_\_\_ (time) on \_\_\_\_\_ (date) for \_\_\_\_\_ (days) for violation of the following Educational Code Section 48900. He/She is to return to school on \_\_\_\_\_ (date). A Parent Conference is required. Please call \_\_\_\_\_ for an appointment.

Your child is being suspended for violation of Education Code (EC) 48900:

- a.1 Caused, attempted to cause, or threatened to cause physical injury to another person. 501
- a.2 Willfully used force or violence upon the person of another, except in self-defense. 504
- b. Possessed, sold or otherwise furnished any firearm, knife, explosive or other dangerous object. 101
- c. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance. 202
- d. Unlawfully offered, arranged or negotiated to sell a controlled substance, alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person an imitation. 203
- e. Committed or attempted to commit robbery or extortion. 600
- f. Caused or attempted to cause damage to school or private property. 512
- g. Stolen or attempted to steal school or private property. 601
- h. Possessed or used tobacco, or products containing tobacco or nicotine products. 300
- i. Committed an obscene act or engaged in habitual profanity or vulgarity. 510
- j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia. 204
- k. Disrupted school activities or otherwise willfully defied the valid authority of school personnel. 511
- l. Knowingly received stolen school or private property. 602
- m. Possessed an imitation firearm. 102
- n. Committed or attempted to commit a sexual assault or sexual battery. 400
- o. Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding. 507
- p. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma. 205
- q. Engaged in, or attempted to engage in, hazing. 509
- r. Engaged in an act of bullying. 513
- 48900.2 Committed sexual harassment (Grades 4-12 only). 403
- 48900.3 Caused, attempted to cause, threatened to cause, or participated in an act of hate violence (Grades 4-12 only.) 505
- 48900.4 Intentionally harassed, threatened, or intimidated, creating a hostile educational environment (Grades 4-12 only.) 506
- 48900.7 Made terroristic threats against school officials and/or school property. 508

The following violations of EC 48915(c) require mandatory suspension and a recommendation for expulsion:

- 1. Possessing, selling or otherwise furnishing a firearm. 100
- 2. Brandishing a knife at another person. 103
- 3. Unlawfully selling a controlled substance. 200
- 4. Committing or attempting to commit a sexual assault or sexual battery. 400
- 5. Possession of an explosive. 105

The following violations of EC 48915(a)(1) require mandatory suspension and expulsion shall be recommended:

- A. Caused serious physical injury to another person, except in self-defense. 500
- B. Possession of a knife or other dangerous object. 104
- C. Unlawful possession of any controlled substance. 201
- D. Robbery or extortion. 600
- E. Assault or battery on a school employee. 503

Narrative of the incident/supporting information: \_\_\_\_\_

A conference was held with the student at the time of suspension. The student was given the right to state his/her defense and the evidence and reason for the suspension was fully explained. Yes  No . Crime and violence report item: Yes  No

*Note: During this period of suspension, your child is not to come on or near any school campus, nor attend any school or district sponsored event or activity. Failure to adhere to this regulation will result in additional disciplinary action. It is a violation of the suspension terms to loiter on public streets without adult supervision during regular school hours. Supervision of the student during the suspension is the responsibility of the student's parent/guardian.*

State law requires that parents come to the school without delay for a conference regarding the problem. (Ed. Code Sec. 48911D5 and 48911F) Please call to make an appointment.

Home Suspension  School Site Suspension  Expulsion Recommended: Reason: \_\_\_\_\_ (Ed. Code Sec. 48915)

Approved by: \_\_\_\_\_ Position:  Principal  Assistant Principal  
Principal or Designee

AHS  EMHS  MVHS  RHS  SEMHS  FRLHS  CDS

DISTRIBUTION: PARENT - WHITE PRINCIPAL - BLUE CUM. FILE - PINK ATTENDANCE - GREEN ACTIVITIES - GOLD

## Appendix G: Bullying Reporting Form

### 5131.2 - Bullying

**El Monte Union High School District**  
BULLYING REPORTING FORM

**Victim                  Witness                  Anonymous                  Parent/Guardian**

If you have information regarding bullying and would like to report this information, please fill out the following form to the best of your knowledge. Please note that this form can be completely anonymous. (For the purpose of this form, bullying encompasses ongoing threats, harassment, and discrimination.) Please complete one form per incident.

|  |                   |        |  |
|--|-------------------|--------|--|
| Please fill out the following information: |                   |        |  |
| Sex  | Grade             | Age    |  |
| Victim (s) Name: Last                      | First             | Middle |  |
| Accused Name: Last                         | First             | Middle |  |
| School Site:                               | School Telephone: |        |  |

When did the incident happen and where did it occur?

Date:                  *example: (01/01/01)*                  Time:                  am / pm

Please describe, in as much detail as possible, what happened?

Do you know any of the witnesses involved? If so, please provide as much detail as possible about these people?

List evidence of bullying if any (i.e. letters, emails, electronic postings, etc.) Attach evidence possible.

If you fear a student is in IMMEDIATE danger, contact Administration/Designee, Parent or the Police Station immediately!  
*I agree that all the information on this form is accurate and true to the best of my knowledge.*

\_\_\_\_\_  
Signature of complainant

\_\_\_\_\_  
Date

For Office Use Only:

|                |              |
|----------------|--------------|
| Date Received: | Received By: |
|----------------|--------------|

## Appendix I: School Crime Reporting Form

|   |
|---|
| <b>South El Monte High School</b><br><b>El Monte Union High School District</b> |
| Section 12: Appendices  |

### Appendix I: School Crime Reporting Form

|                             |   |
|-----------------------------|---|
| March 2022 to December 2022 |   |
| Truancies                   | 0 |
| Under the Influence         | 0 |
| Possession                  | 0 |
| Trespassing                 | 0 |
| Sex Crimes                  | 0 |
| Vandalism                   | 0 |
| Burglary                    | 0 |
| Criminal Threats            | 0 |

Appendix J: School Site Council Meeting Minutes/Approval

|   |
|---|
| <b>South El Monte High School</b><br><b>El Monte Union High School District</b> |
| Section 12: Appendices  |