

Comprehensive School Safety Plan

EdCode 32280

SOAR HIGH SCHOOL
Antelope Valley Union High School District

Dr. Stephanie Herrera, Principal

3041 West Avenue K
Lancaster, CA 93536

661-722-6509

www.soarhighschool.org

AV College has recently adopted the Emergency Operations Plan created and copyrighted by West Coast Consulting Group, Inc. SOAR High School is part of that plan and has participated in incident command training to prepare for potential emergencies. The Emergency Operations Plan is an over 200 page document that outlines what stakeholders will do in the case of a real emergency. A copy of this plan is located in the SOAR Principal's Office and is referenced through this safety plan.

Date of Review: 1/26/2018

SOAR HIGH SCHOOL

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**SCHOOL SAFETY COMMITTEE
MEMBERS**

SOAR

School Safety Committee Members

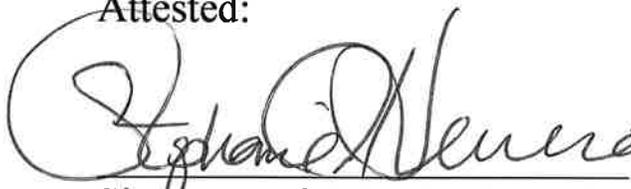
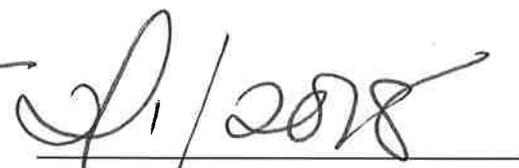
| Individual | Title |
|-------------------|---------------------------|
| Stephanie Herrera | Principal |
| Nancy Speaks | Counselor |
| Janet Andrews | Secretary |
| Jaylene Schaeffer | Data Tech/Registrar |
| Jill Zimmerman | AVC Dean |
| Les Uhazy | AVC Dean |
| Ray Murgatroyd | AVC Sheriff Deputy |
| Tracey Chainey | Pupil Services Technician |

**SCHOOL SITE COUNCIL
REVIEW & APPROVAL**

| Names of Members | Principal | Classroom Teacher | Other School Staff | Parent or Community Member | Secondary Student |
|-------------------------------------|-----------|-------------------|--------------------|----------------------------|-------------------|
| Dr. Stephanie Herrera | X | | | | |
| Nancy Speaks | | | X | | |
| Amy Norman | | X | | | |
| Jenny Agnew | | X | | | |
| Neil Small | | X | | | |
| Rachel Thibault | | X | | | |
| Genessee Floressantos | | | | | X |
| Noah Sveiven | | | | | X |
| Midori Terril | | | | | X |
| Jordan Eisenman | | | | X | |
| Jennifer Navarro | | | | X | |
| Jennifer Prewitt | | | | X | |
| Numbers of members of each category | 1 | 4 | 1 | 3 | 3 |

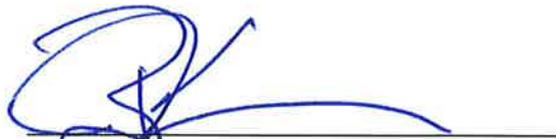
This Comprehensive School Safety Plan was adopted by the School Site Council at a public meeting on: 11/29/2017

Attested:

Signature of School Principal

Date



Signature of SSC chairperson



Date

**A.V.U.H.S.D. DISASTER/INCIDENT
REFERENCE SHEET**



THE LOCATION OF THE CLOSEST FIRE EXTINGUISHER IS: SA - SOAR Administration

Antelope Valley Union High School District Disaster/Incident Reference Sheet

AVUHSD 44811 N. Sierra Highway, Lancaster, CA 93534 (661) 948-7655. Superintendent – Ext. 225; Educational Services – Ext. 230; Business Services – Ext. 218; Personnel – Ext. 216; Risk Management – Ext. 292; Student Support – 729-2321; Maintenance/Facilities – Ext. 290; Transportation 945-3621; AVAE 942-3042; AVHS 948-8552; DWM 948-7555; DWW 943-2091; HHS 538-0304; LnHS 726-7649; LHS 944-5209; PHS 273-3181; PxHS North 729-3936; PxHS South 274-9260; PKHS 533-900; QHHS 718-3100; RRP 944-6510; ROP 575-1000.; EHS 236-0244; AAV 943-2091; SOAR High School 722-6509

| | |
|--|--|
| <u>AVC Emergency Numbers - Campus Security</u> (on-campus) – 4444 | <u>Non-emergency Numbers - Campus Security</u> – 6399 |
| Medical, Fire, Police – 9 + 911 | Facilities and Maintenance – 6480 |
| | AVC Operator – 0 |
| | SOAR Front Office - 1546 |

Emergency Phone Numbers (9-9-1-1): Lancaster Police 948-8466; Palmdale Sheriff 267-4300; Fire 948-2631.

Operator “0” or emergency “4444”

Campus Security ext. 4444 or 6399

Principal ext. 6781

Lock Down (CODE RED): Please keep in mind that there are times when a decision to evacuate may actually put students and staff in harms way. If the situation dictates that it is best for students to remain locked down in their classrooms, a **CODE RED** will be called an immediate lock down will occur. All doors are to be immediately locked and students who are outside are to come indoors. If a fire alarm is sounding and you hear a verbal/PA command for a **Code Red**, obey the verbal/PA commands. During a **Code Red**, remain in the locked room until directed to leave by the police or school/staff administration.

General Information: Always call **Campus Security (0 and/or 4444)** or one of the numbers listed above. Clearly identify your exact location. If safe, remain on the line and do not hang up. Keep other lines clear for emergency calls. Your school site may well be a crime scene and everyone needs to take steps to preserve the evidence and to identify potential witnesses. Gather roll sheets or other class records for student accountability. Consider the impact on students and your peers. Anticipate the involvement of the school psychologist or district procedures for releasing students. There have been situations where attempted kidnappings have occurred during earthquakes and other disasters.

Accidents: If an accident happens near campus, or if a student or staff member is seriously injured call the Switchboard. Identify your exact location. Remain calm and respond to the situation.

Armed Student in Class: **Do not** confront the student! Wait for the Campus Security. **Do not** attempt to retrieve the weapon! **Do not** restrain or discipline the student! **STAY CALM!** Wait for the Police.

Bomb Threat: If available, immediately refer to the "Bomb Threat Checklist". Keep the caller on the line as long as possible. Ask him/her to repeat the message. If the caller does not indicate the location of the bomb or the time of the possible detonation, ask him/her for this information. If possible, have more than one person listen in on the call. Alert the principal/site administrator. Keep the matter confidential. Immediately complete the "Bomb Threat Checklist". If you find a suspicious device, immediately contact the principal/site administrator. Anticipate that all students and staff will be evacuated from the danger zone. Be prepared to report the location and an accurate description of the object. If possible, check to see that all doors and windows are open. Expect the police department to examine rooms. Anticipate being asked if you have seen any objects that are out of place or are in places where they do not normally belong. Identify potential witnesses. Please keep in mind that there is a higher probability of an explosion outside of buildings than inside of buildings.

Earthquake: DURING THE QUAKE: At first sign of shaking, you should give the **DROP** command. If **Indoors**, everyone should get under a desk or table. If that is not possible, stand next to an inside wall or under an inside doorway. Stay away from computers, televisions, and stacks of books, file cabinets, and other heavy objects. Get as far away from the window(s) as possible. Drop to knees with back to the window(s) and knees together. Clasp one hand firmly behind head, covering neck. Wrap other arm around a table or chair leg. Bury your face in your arms, protecting head. Close eyes tightly. Stay until the earthquake is over. If **outdoors**, staff should direct students away from buildings, trees, poles and wires. Call **DROP** command. Everyone should cover as much skin surface as possible, close eyes and cover ears. If students are **on the way** to or from school, instruct them to stay in the open away from buildings, signs, trees and wires. Do **not** run. After the quake, continue home or to school. **FOLLOWING THE QUAKE, ANTICIPATE AFTER SHOCKS:** Anticipate that all students and staff will be evacuated in an orderly manner using pre-planned evacuation routes. **All teachers should take roll and note missing students or staff.** Students should remain outdoors, in evacuation area, until buildings are declared safe. Be prepared to operate without Police or Fire assistance for an unknown time. Keep in mind (1) the first concern is with physical safety; (2) attention can and should be given to the emotional trauma; (3) everyone will need facts; (4) everyone will need an opportunity to share feelings and experiences; (5) children need to be together with adults, friends or family members; (6) if possible, engage children in activities.

Fire/Explosion: The injured should be treated as much as possible while awaiting Police or Fire. Anticipate an evacuation away from threatened buildings using fire drill. Maintain control of students and take roll. If smoke is in the immediate vicinity, instruct students to "Stay low and Exit," crawling to avoid breathing fumes. If no escape is possible, close as many doors as possible between you and the fire. Stuff cracks and openings with wet clothing/rags and avoid fanning flames. Lay on floor to avoid smoke. Wait for help. Identify witnesses. Anticipate being bused to alternative location.

Gang Fight/Riot/Threatening Group: Contact the main office immediately. Wait for Campus Security. If there is fighting, do not try to break it up. Identify yourself and issue an order to disperse. Let the police handle the situation. *(For Office Staff): Call 9-9-1-1 and identify your school site and exact location. Stay on the phone with police until they arrive. Relay as much information as possible. Who and how many are involved? Specific location of occurrence? Number of wounded? Weapons involved? Any background knowledge of trouble or participants? Treat injured as much as possible.* If possible, remove students from the area. Anticipate that a

LOCK DOWN will be implemented to contain students in the classroom. If students are out of class, instruct them to report to their next period immediately. Do not disturb the fight area. It is a crime scene. Send the name of potential witnesses to the office. Attempt to calm students. Contact the office with any rumors of potential conflicts or fights.

Hostage Situation: Do not use words such as "hostage", "captives", or "negotiate". Stay Calm, No Confrontation, No Challenges, No Heroics. IF A CLASSROOM IS TAKEN HOSTAGE: Obey the suspect's commands. Don't argue or fight. Go into a rest mode. Be passive. Tend to display more restful, sleepy behavior as opposed to being active. Try to calm the suspect and listen to complaints or demands. Once again, do not use words such as "hostage", "captives", or "negotiate". Keep the students calm and don't allow them to agitate the suspect. Ask permission of the suspect in all matters. Make an effort to establish rapport with suspect. Provide your first name. Find out his/her first name and use first names, including the student's first name, throughout the conversation. If you do not know first names, refer to the hostage(s) as boys, girls, men, women, or students. This will help personalize hostage(s) as people rather than objects. Encourage suspect to release everyone. **KEEP ALL RADIOS, TELEVISION SETS, AND COMPUTERS TURNED OFF.** If possible and without increasing risk to yourself, minimize any possibility that the suspect can hear or see "NEWS REPORTS." This could escalate the situation and keeping these devices off may help the situation. Be calm and patient and wait for help. Keep in mind that the average hostage incident lasts approximately six (6) to eight (8) hours and the average barricade incident last approximately three (3) hours. "TIME IS ON

YOUR SIDE." Based on the situation and the age of the suspect, anticipate at the point of rescue that all "possible suspects" in the room will be handcuffed by the police department. The police will then make a positive identification of the suspect and release the victims. Anticipate a **LOCK DOWN** to protect student and staff members in their classrooms/offices.

Rape: Offer the victim care and first aid until authorities arrive. **Avoid destroying any evidence.** Do not permit the victim to use the restroom until instructed to do so by the police. Wait with the victim until the site administrator arrives. Identify potential witnesses. If you talk to the victim prior to the police arriving on the scene, restrict the conversation to immediate medical needs. If discussion occurs on the situation, speak only in general terms. **DO NOT DISCUSS THE SPECIFICS** of the case. It is better in court that the initial specific statements about the crime are recorded by the police department and are not heard second hand with you as the witness. Take steps to protect the victim's identify. Protect the "PRIVACY" and "Rights of Confidentiality" of the student and family. Confer with site administrator regarding contacting Child Protective Services.

Shooting: At the first indications of shooting, sound of gunfire, loud cracking, popping, banging noises, windows shattering, glass exploding in classrooms, bullets ricocheting: Instruct students to drop to the ground immediately, face down as flat as possible. If you are within 15-20 feet of a safe position, duck and run for it. Move or crawl away from gunfire, trying to create obstruction between you and the gunfire. **IMPORTANT: KEEP IN MIND THAT MANY OBSTRUCTIONS MAY VISUALLY CONCEAL YOU FROM THE GUNFIRE, BUT THEY MAY NOT BE BULLET PROOF AND WILL NOT PROTECT YOU FROM GUNFIRE.** Try to get behind or inside a building and stay down. When you reach a relatively safe area, stay down and do not move. Do not peek or raise your head. If possible, call the office from a classroom, or run to the office (only if safe!) to report the situation. Listen for directions from the Police. **IF INSIDE CLASSROOM (WITH ASSAILANT OUTSIDE):** Duck and cover. Keep students inside. Close and lock the outside door to the classroom. Close the blinds, turn off the lights, and stay on the floor. Call the office (if possible) to report location of the sniper. **OFFICE PERSONNEL:** *Duck and cover on the floor, making phone calls from this position. Keep students out of danger. Consider if a lock down LOCK DOWN should be implemented to contain those students in their classrooms. Call 9-9-1-1. Identify your school site and exact location. As Police are in transit, relay information: Is suspect still on-campus? Where did he/she go? Specific location of occurrence. Number of wounded. Description of all weapon(s), dangerous object(s) and any visible ammunition. LOOK FOR MULTIPLE WEAPONS AND REPORT ALL WEAPONS. Any shots fired? Describe sound and number of shots fired. Keep the P.A. System on to provide instant announcements.*

Suicide/Threat: Suicide rarely happens without some warning to someone. Staff and faculty need to take all comments about suicidal thoughts seriously, especially if details of a suicide plan are shared. **Verbal Suicide Threat:** If a student suggests he/she is thinking about committing suicide in the near future: **LISTEN! SHOW YOU CARE! GET HELP!** Trust your feelings that this student may be self-destructive. Notify the office immediately. They will contact the counselor and/or school psychologist. **Under no circumstances should an untrained person attempt to assess the severity of suicidal risk.** The psychologist will notify the student's parent, guardian or other emergency contact. **When a Student is Threatening Suicide on Campus and Has a Lethal Weapon Available:** Stay with the student. Remain calm. Get vital information if possible. Clear other students from the scene. Assure the student that he or she has done the right thing by talking to you. Get the student to talk. Listen! Listen! Listen! Repeat back! Speak in a calm low voice. Make a mental note of what the student says. Monitor the student's behavior constantly. Try to get the student to agree to a verbal "no suicide" contract. ("I will not kill myself before talking to a counselor.")

DISASTER PROCEDURES

EARTHQUAKE

1. When the earth begins shaking, remember to DROP, COVER, and HOLD ON.
2. During an earthquake, remain calm and quickly follow the steps outlined below.
3. If indoors during an earthquake:
 - a. DROP to a position under a sturdy table or desk or, if there is no table or desk nearby, sit on the floor against an interior wall away from windows, bookcases, shelves, and heavy equipment.
 - b. COVER your eyes by pressing your face against your arm.
 - c. HOLD ON to a table, desk, or chair leg if one is near you to help brace yourself. Expect the table, desk, or chair to move.
4. If outdoors during an earthquake:
 - a. Move quickly away from buildings, trees, utility poles and power lines, and other structures.
 - b. DROP to the ground in a clear area.
5. After the shaking stops, evaluate the situation. If emergency help is necessary, call campus security at ext. 4444 or 6399 or use a campus pay phone and dial *80 or use a cell phone and dial (661) 722-6399. Expect aftershocks and react to them by following the same procedures as you did for the initial earthquake.
6. Coordinate with your supervisor and begin turning off all potentially hazardous equipment such as gas and electric appliances.
7. Evacuate the building by quickly walking to the nearest exit and alert people as you go. Be aware of structural damage and help both the disabled and the injured. **DO NOT USE ELEVATORS.**
8. Proceed to the designated parking lot for your building. Keep walkways clear for emergency vehicles. **Refer to the Area Evacuation Map to determine your designated parking lot.**
9. Additional information is available on the Emergency Broadcast System (EBS) which, for Los Angeles County, is comprised of the regular AM and FM radio frequencies including:

XTRA 610 AM KLKX 93.5 FM
KNX 1070 AM KKZQ 100.1 FM
KAVC 1340 AM KTPI 103.1 FM
KWJL (news/talk) 1380 AM, Lancaster KOSS (Oasis) 105.5 FM
KUTY (Spanish–LaMera Mera) 1470 AM, Palmdale KGMX 106.3 FM
KCEL (Spanish–Radio Lazer) 106.9 FM

Additionally, AVC maintains an emergency message extension where employees can obtain recorded information related to campus closures or other emergency situations. The number is (661) 722-6600. One other possible means the College may employ to post messages is the “Campus Announcements” section of myAVC on the College Web site: www.avc.edu.
10. **Do not return to the building until told to do so.**

FIRE/EXPLOSION

1. Know the location of fire extinguishers in your area and know how to use them.
2. Drop and roll if you and/or your clothes catch on fire.
3. Immediately call campus security at **ext. 4444 or 6399** or use a campus pay phone and dial ***80** or use a cell phone and dial **(661) 722-6399**. Give your name and describe the location and size of the fire.
4. If necessary, or if directed to do so by campus security personnel, activate the building alarm.
5. On large fires that are not immediately controllable, or after using the fire extinguisher, close all doors to confine the fire and reduce oxygen-but do not lock them.
6. Proceed to the designated parking lot for your building. Keep walkways clear for emergency vehicles. **Refer to the Area Evacuation Map to determine your designated parking lot.**
7. **Do not return to the building until told to do so.**

LOCKDOWN

Refer to AVC's Emergency Operation's Plan – page 10
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ACTIVE SHOOTER

Refer to AVC's Emergency Operation's Plan – page 98
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HOSTAGE

Do not use words such as “hostage”, “captives”, or “negotiate”. Stay Calm, No Confrontation, No Challenges, No Heroics.

1. IF A CLASSROOM IS TAKEN HOSTAGE: Obey the suspect's commands. Don't argue or fight. Go into a rest mode. Be passive. Tend to display more restful, sleepy behavior as opposed to being active, Try to calm the suspect and listen to complaints or demands, Once again, do not use words such as “hostage”, “captives”, or “negotiate”.
2. Keep the students calm and don't allow them to agitate the suspect. Ask permission of the suspect in all matters. Make an effort to establish rapport with suspect. Provide your first name. Find out his/her first name and use first names, including the student's first name, throughout the conversation. If you do not know first names, refer to the hostage(s) as boys, girls, men, women, or students. This will help personalize hostage(s) as people rather than objects. Encourage suspect to release everyone. KEEP ALL RADIOS, TELEVISION SETS, AND COMPUTERS TURNED OFF. If possible and without increasing risk to yourself, minimize any possibility that the suspect can hear or see “NEWS REPORTS.” This could escalate the situation and keeping these devices off may help the situation. Be calm and patient and wait for help.
3. Keep in mind that the average hostage incident lasts approximately six (6) to eight (8) hours and the average barricade incident last approximately three (3) hours. “TIME IS ON YOUR SIDE.” Based on the situation and the age of the suspect, anticipate at the point of rescue that all “possible suspects” in the room will be handcuffed by the police department. The police will then make a positive identification of the suspect and release the victims. Anticipate a LOCK DOWN to protect student and staff members in their classrooms/offices.

BOMB THREAT

Refer to AVC's Emergency Operation's Plan – page 101 in addition to the information below.
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1. Any person receiving a phone call that an explosive device has been placed on campus should ask the caller the following questions and write down the answers:
 - a. When is the bomb going to explode?
 - b. Where is the bomb located?
 - c. What kind of bomb is it?
 - d. What does it look like?
 - e. Why did you place the bomb?
 - f. What is your name? **Many times, the caller wants recognition for himself/herself or his/her organization and will provide this and other useful information.**
 - g. Who do you represent?
2. Keep talking to the caller as long as possible while you write down the following:
 - a. Time of call.
 - b. Estimated age and gender of caller.
 - c. Speech pattern or accent of caller.
 - d. Emotional state of caller.
 - e. Background noises of caller's location.
3. Immediately call campus security at **ext. 4444 or 6399** from the nearest land line telephone **or use a campus pay phone and dial *80** and supply them with the information outlined above. **Do not use a cell phone or 2-way radio to make the call.** Report to your supervisor as soon as it is practical to do so.
4. If the bomb threat or suspicious object is received by mail, do not further handle the letter, envelope, or package. Immediately proceed to the nearest land line telephone and call campus security at **ext. 4444 or 6399 or use a campus pay phone and dial *80. Do not use a cell phone or 2-way radio to make the call.** Report to your supervisor as soon as it is practical to do so.
5. If you see a suspicious object on campus that could contain or be an explosive device, **do not handle the object.** Immediately proceed to the nearest land line telephone and call campus security at **ext. 4444 or**

6399 or use a campus pay phone and dial *80. Do not use a cell phone or 2-way radio to make the call. Report to your supervisor as soon as it is practical to do so.

6. Campus security personnel will conduct a detailed bomb search. Employees in the area(s) affected may be requested to make a brief inspection of their area(s) for out of place or suspicious objects that could contain or be an explosive device. **Do not touch the object and remember to turn off cell phones and 2-way radios BEFORE beginning the inspection.**
7. Campus security will assess the situation and determine if evacuation procedures are warranted.
8. If an evacuation is ordered, walk quickly to the nearest marked exit and, once outside, proceed to the **OUTERMOST AREA** of the designated parking lot for your building. **Refer to the Area Evacuation Map to determine your designated parking lot.**
9. An emergency command post will be set up a minimum of 300 feet from the emergency site. Keep clear of the command post unless you have important information to report.
10. **Do not return to the building until told to do so.**

SUICIDE THREAT

Teen suicide is a problem of alarming proportions. An estimated half million teenagers in the United States attempt suicide every year -- and about 5,000 succeed.

WHAT YOU CAN DO?

Recognize the warning signs of suicide.

The following is a list of behaviors that, when considered collectively, suggest a child is feeling distress and possibly has a desire to kill himself. Keep in mind that a child who displays one or even a number of the behaviors is not necessarily suicidal. They do suggest, however, that the child might be depressed and in need of emotional support.

- An oral comment or written note indicating a desire to die
- A previous suicidal attempt
- Statements of hopelessness
- Compositions or artwork involving death
- Increased absenteeism from school
- Unexplained decline in academic performance
- Dramatic personality changes
- Risky or reckless behavior
- Withdrawal from family, friends or activities
- Giving away his favorite possessions to friends or family
- Unusual neglect of his physical appearance
- Frequent physical complaints such as stomachaches or headaches
- Self-inflicted injuries such as cuts, scratches or burns

What should you do if a student tells you that they are suicidal?

Take every threat seriously. A threat of suicide, even when made by a teenager, even when said in jest, can be a desperate cry for help. We cannot take the risk of not responding to that threat.

Ignoring or trivializing a child's threat when he is feeling distressed will only intensify his desperation.

Respond in a caring, compassionate manner. If one of your students has communicated, orally or in writing, his desire to die, take him aside as soon as possible and talk with him.

If necessary, find someone to take over your class. Ask him what he meant when he wrote or said that. Encourage him to speak about what is upsetting him by listening attentively without criticizing him or even offering advice.

Respond in a sympathetic, soothing manner and help him feel that he has been understood even if his feelings seem trivial to you. If he perceives a problem as serious, then it is serious -- to him. Let him know that you have an obligation to inform the school Administration.

Contact the counselor/admin. If one of your students is very distressed and has expressed feelings of wanting to harm himself, it is essential that you notify the counselor/admin immediately.

MEDICAL & FIRST AID

1. In case a serious injury or illness occurs on campus, immediately call campus security at ext. 4444 or 6399 or use a campus pay phone and dial *80 or use a cell phone and dial (661) 722-6399. Give the campus location of the injured or ill person, describe the nature of the medical problem and provide your name.

2. Quickly perform these six steps if your first aid training is current:
 - a. Ask the injured or ill person “Are you okay?” and “What is wrong?”
 - b. Call campus security or send someone to call campus security.
 - c. Tell the person you are first aid trained and ask “May I help you?”
 - d. Check airway, breathing, and circulation.
 - e. Treat the injured or ill person to the level of care within your scope of training.
 - f. Remain with the injured or ill person until help arrives.

NOTE: The public telephone directory contains specific first aid instructions.

3. If you have not been trained in first aid or if your first aid training is not current, call campus security and continue to aid the injured or ill person until help arrives by the following three steps:
 - a. If possible, determine extent of injury or probable cause of illness without moving the person.
 - b. Protect from all disturbance, reassure the person, and do not move him or her unless absolutely necessary.
 - c. Look for emergency medical tags and bracelets, question witnesses, and give all information to campus security.

4. Campus security personnel will contact outside medical response services as necessary.

5. In case of a minor injury or illness, provide first aid care. Use the first aid materials that are available in the nearest department office.

BUILDING EVACUATION

1. Prior to any emergency, familiarize yourself with the evacuation route from your building and your building's evacuation assembly area by referring to the Area Evacuation Map.
2. Be aware of all marked exits from your area and building.
3. **When you hear the evacuation alarm—leave the building immediately**
4. Do not use elevators.
5. To activate the building alarm, pull the handle on one of the red fire alarm boxes.
6. When the building evacuation alarm is sounded or when you are ordered to leave by campus security personnel or college staff, walk quickly to the nearest marked exit and ask others to do the same.
7. Once outside, proceed to the designated parking lot for your building. Keep walkways clear for emergency vehicles. **Refer to the Area Evacuation Map to determine your designated parking lot.**
8. Remain in your designated assembly area until your Instructor, supervisor, or sponsor determines that all of the people in the class, office, or other function have evacuated or if one or more people may not have left the building. The Instructor, supervisor, or sponsor will report this information up the chain of command so that rescue personnel can begin searching for the missing at their last known location.
9. To the best of your ability, and without re-entering the building, assist campus emergency response personnel or college staff in their attempt to determine that everyone has evacuated safely.
10. An emergency command post may be set up near the emergency site. Keep clear of the command post unless you have important information to report.
11. **Do not return to the building until told to do so.**

HAZARDOUS MATERIALS INCIDENT/EXPOSURE

1. Report any campus spillage or release of a dangerous chemical or substance immediately to campus security at **ext. 4444 or 6399** or use a **campus pay phone and dial *80** or use a **cell phone and dial (661) 722-6399**. Report the incident to your supervisor.
2. When reporting, be as specific as you can about the nature of the involved material and the location and approximate size of the spill or release. Campus security personnel will contact the on-campus hazardous material personnel via the Maintenance Department (extension 6480). The hazardous material personnel will evaluate the spill or release and either properly contain it or clean it up or contact any necessary specialized authorities and/or outside clean up personnel.
3. Vacate the affected area at once and seal it off to prevent further contamination of others.
4. If you have come into contact with the spilled material or vapor emanating from it, you must avoid further contact, remain in the vicinity so that you do not spread the contaminant and you are readily available in the area to be helped, and notify campus security personnel of your contact with the contaminant.
5. If a room or an entire building is involved and either the building evacuation alarm is sounded or you are ordered to leave by campus security personnel, or college staff, evacuate the room or building by quickly walking to the nearest exit. Leave the elevators for the disabled and assist them as necessary.
6. Proceed to the designated parking lot for your building. Keep walkways clear for emergency vehicles. **Refer to the Area Evacuation Map to determine your designated parking lot.**
7. **Do not return to the building until told to do so.**

VIOLENT OR CRIMINAL BEHAVIOR

Report all crimes and suspicious situations to campus security at ext. 4444 or 6399 or use a campus pay phone and dial *80 or use a cell phone and dial (661) 722-6399.

1. Assist in making the campus a safe place by being alert to suspicious situations and by reporting them as outlined below.

Do not take any unnecessary chances

2. If you are the victim or are involved in any on-campus violation of the law such as assault, robbery, theft, unwanted sexual behavior, etc.:

Call campus security as soon as possible and supply them with the following information:

- a. Nature of the incident.
 - b. Campus location of incident.
 - c. Description of person(s) involved.
 - d. Description of property involved.
 - e. Your name.
 - f. Your current location.
 - g. Your contact telephone number.
 - h. Any injuries including how many and extent of injury (if known).
3. If you witness an on-campus violation of the law, immediately call campus security and give them the information outlined in number 2 above.
 4. Report to your departmental office anyone loitering or soliciting on campus. These people may be asked to leave if they do not have permission or a proper reason for being on campus. Call campus security if they refuse to leave when asked.
 5. Call campus security for an escort to and from class or your workstation if you are concerned about your safety.
 6. If in a room or building and you hear gunfire, lock your door(s) from the inside if the door(s) can be locked, call campus security to describe what you heard and give them your building name and room number, turn off room lights (whether day or night), and then take shelter so that you are not visible through a window to anyone outside of the window.
 7. Remain sheltered in place until campus security notifies you to take other action.

EXPLOSION, AIRCRAFT CRASH OR SIMILAR INCIDENT

If a volatile incident such as an explosion or aircraft crash occurs on campus and adversely affects your room or building, take the following actions:

1. Guard yourself against secondary explosions by immediately taking cover under a table or a desk that will provide protection against breaking glass and falling debris. Close your eyes and cover your ears with your hands.
2. After the concussion of the explosion or crash has subsided, call campus security at **ext. 4444 or 6399 or use a campus pay phone and dial *80 or use a cell phone and dial (661) 722-6399**. Give your name and describe the location and nature of the emergency.
3. Activate the building alarm if necessary or if directed to do so by campus security personnel or college staff.
4. Evacuate the immediate area of the explosion or crash and notify your supervisor.
5. Do not touch or move any potentially volatile or suspicious object.
6. Help others, including the injured and the disabled, to evacuate the area. Remember that you can write a note to alert deaf or hard of hearing people to evacuate the area.
7. Proceed to the designated parking lot for your building. Keep walkways clear for emergency vehicles. **Refer to the Area Evacuation Map to determine your designated parking lot.**
8. An emergency command post may be set up near the emergency site. Keep clear of the command post unless you have important information to report.
9. **Do not return to the room or building until told to do so.**

UTILITY FAILURE

1. If a major utility failure occurs (such as an electrical outage) during regular working hours, immediately call the Maintenance Department at (661) 722-6300, ext. 6480.
2. If there is potential danger to the building occupants or if the utility failure occurs after hours or on a weekend or holiday, call campus security at **ext. 4444 or 6399 or use a campus pay phone and dial *80 or use a cell phone and dial (661) 722-6399.**
3. If an evacuation is ordered by campus security personnel or college staff, walk quickly to the nearest marked exit and ask others to do the same.
4. Once outside, proceed to the designated parking lot for your building. Keep walkways clear for emergency vehicles. **Refer to the Area Evacuation Map to determine your designated parking lot.**
5. Without re-entering the building, assist campus security personnel or college staff in their attempt to determine that everyone has evacuated safely.
6. An emergency command post will be set-up near the emergency site. Keep clear of the command post unless you have important information to report.
7. **Do not return to the building until told to do so.**

ADDITIONAL INFORMATION AND PROCEDURES

Electrical/Light Failure: All major campus buildings have an emergency light system that will provide enough illumination in corridors and stairs for safe exiting. It may also be advisable for your department to have some flashlights available.

Elevator Failure: All campus elevators have emergency alarms. If you discover an elevator failure, call campus security at **ext. 4444 or 6399 or use a campus pay phone and dial *80 or use a cell phone and dial (661) 722-6399.** Do not attempt to open elevator doors.

Plumbing Failure/Flooding: Cease using all electrical equipment, vacate the area, and call campus security at **ext. 4444 or 6399 or use a campus pay phone and dial *80 or use a cell phone and dial (661) 722-6399.**

Serious Gas Leak: Cease all operations, immediately vacate the area, and call campus security at **ext. 4444 or 6399 or use a campus pay phone and dial *80 or use a cell phone and dial (661) 722-6399.**

Ventilation: If smoke or the odor of burning materials comes from the ventilation system, call campus security at ext. 4444 or 6399 or use a campus pay phone and dial *80 or use a cell phone and dial (661) 722-6399.

EVAUATION OF DISABLED

If there is an emergency that affects occupants of wheelchairs and other disabled persons, the following evacuation procedures should be adhered to:

1. All persons shall move toward the nearest marked exit. Remember the following:
 - a. Do not use elevators.
 - b. When a wheelchair occupant or other person with mobility impairment reaches an obstruction, such as a staircase, he/she should request help from others in the area. Yellow Evac-Chairs are located near the top of each stairwell and are to be used in assisting mobility-impaired persons down the stairs.
 - c. If help is not immediately available, the wheelchair occupant or other person with mobility impairment should stay in the area in front of the elevator or on the exit stairwells. He/she should continue to call for help until rescued.

Rescue personnel, campus security personnel, or the emergency response team will first check elevator lobby areas and exit stairwells for trapped persons. Once they have evacuated any trapped persons, they will then check restrooms, classrooms, offices, and all common use areas. They will flash lights in addition to doing visual and verbal checks to alert deaf/hard of hearing persons.

2. Assist a hearing impaired person in an emergency as follows:
 - a. FLASH LIGHTS ON and OFF, wave, or tap the shoulder of a deaf or hard of hearing person to alert him/her to an emergency.
 - b. Face a deaf person directly and speak clearly and naturally. He/she may be trying to read your lips.
 - c. Have a pad and pencil available so that you can attempt to communicate in writing. Print clearly.
3. Assist a blind person in an emergency as follows:

Assign a “buddy” to help the blind person evacuate according to the regular procedures.

LEGAL RESPONSIBILITIES & DUTY ASSIGNMENTS

The Government Code of the State of California (Title 1, Division 4, Chapter 8, Section 3101) has defined the term “public employees” to include all persons employed by the state or any county, city, city and county, state agency or public district, excluding aliens legally employed. It also defines the term “disaster service worker” to include all public employees.

State of California, Government Code Title 1, Division 4, Chapter 8, Section 3100:

It is hereby declared that the protection of the health and safety and preservation of the lives and property of the people of the state from the effects of natural, man-made, or war-caused emergencies which result in conditions of disaster or in extreme peril of life, property, and resources is of paramount state importance requiring the responsible efforts of public and private agencies and individual citizens. In furtherance of the exercise of the police power of the state in protection of its citizens and resources, **all public employees are hereby declared to be disaster service workers subject to such disaster service activities as may be assigned to them by superiors or by law.**

CIVILIAN EMERGENCY COMMAND POST

The Civilian Emergency Command Post, from which the superintendent /president will direct operations, will be dictated by safety considerations and the superintendent’s/president’s choice as any one of the following: Administration Building, Campus Public Safety Office, Library Plaza, or other location necessitated by the emergency situation.

LAW ENFORCEMENT EMERGENCY COMMAND POST

The Law Enforcement Emergency Command Post, from which the director of security (or designee in the absence of the director of security) will direct law enforcement operations, will be dictated by safety considerations and the superintendent’s/president’s choice as any one of the following:

Administration Building, Campus Public Safety Office, Library Plaza, or other location necessitated by the emergency situation.

ASSIGNMENT OF DUTIES

Every staff member has a responsibility for performing certain duties in times of emergency.

Specific assignments are outlined and additional assignments may be given via the chain of command.

The superintendent/president of the Antelope Valley Community College District is responsible for the control and welfare of its students. The superintendent/president (or designee in the absence of the superintendent/president) directs the college staff in the implementation of EMERGENCY

PROCEDURES and the assignment of duties as outlined. The superintendent/president is the overall commander of any and all operations on the campus during normal and emergency operations.

After the people present on campus have evacuated to an appropriate evacuation assembly area, the superintendent/president will instruct the assistant superintendents /vice presidents, director of security and director of public and governmental relations (public information officer) to meet him/her at the location of the Civilian Command Post where he/she will be briefed by them on their findings from their personnel after which

he/she will give them direction for further activities. He/she will brief the Board of Trustees as necessary and to the extent possible on the state of affairs as the situation permits.

The administrator on duty will direct the college staff in the implementation of EMERGENCY PROCEDURES and the assignment of duties as outlined until the superintendent/president or his or her designee assumes control of the emergency situation. The administrator on duty will be contacted immediately and apprised of the emergency situation by Campus Security and will, in turn, report this information directly to the superintendent/president or his or her designee and to the director of public and governmental relations (public information officer).

The assistant superintendents/vice presidents will instruct the deans and directors to meet

them at the location of the Civilian Emergency Command Post where the assistant superintendents/ vice presidents will be briefed by their respective deans and directors of any students, staff members, and/or visitors whose presence was not accounted for at their evacuation assembly area and the names of students, staff members, and visitors whose presence was noted at other than their evacuation assembly area. The main objective will be to determine who may be trapped or injured so severely that they cannot reach an evacuation assembly area and require rescue. The assistant superintendents/ vice presidents will give the deans and directors instructions for further activities.

Deans and directors will proceed to the evacuation assembly areas designated for their personnel

and confer with them to determine who may need rescue and the last known location(s) of the missing. The deans and directors will assign their personnel further activities which may include providing assistance to the injured, relocating groups of people, or responding to the Civilian Emergency Command Post to assist as necessary.

Faculty members, managers, and supervisors will escort their students, personnel, and visitors to their designated evacuation assembly areas and determine who did not arrive as well as seek medical attention for the injured and note any additional people who may be present in their evacuation assembly area. They will report this information and the last known location of the missing to their deans and directors. They will also report to their deans and directors other information they deem important such as hazards noted in their areas during their egress.

Community Emergency Response Team (CERT) trained personnel will report to the

Law Enforcement Emergency Command Post after completing any other duties outlined herein.

They may then be directed to perform a variety of activities including, but not limited to, the following:

1. Conduct search and rescue operations.
2. Evacuate and escort any remaining personnel from affected building(s).
3. Survey buildings for damage and re-entry.
4. Perform first aid.
5. Establish long-term care priorities.

Facilities Department personnel will be responsible for the use of emergency equipment, the handling of emergency supplies, and the safe use of available utilities. They will:

1. Survey the campus and report damage through their chain of command.
2. Assist in rescue operations as directed (examples: rig and operate lifting equipment and cutting torches to liberate victims trapped by or beneath structural components).
3. Assist in disaster fire suppression activities if trained and directed to do so.
4. Assist in controlling main shut-off valves for gas, water, and electricity.
5. Disburse emergency equipment as needed.

Clerical staff will help provide for the safety of essential school records and documents, operate telephones, and act as messengers and couriers when directed.

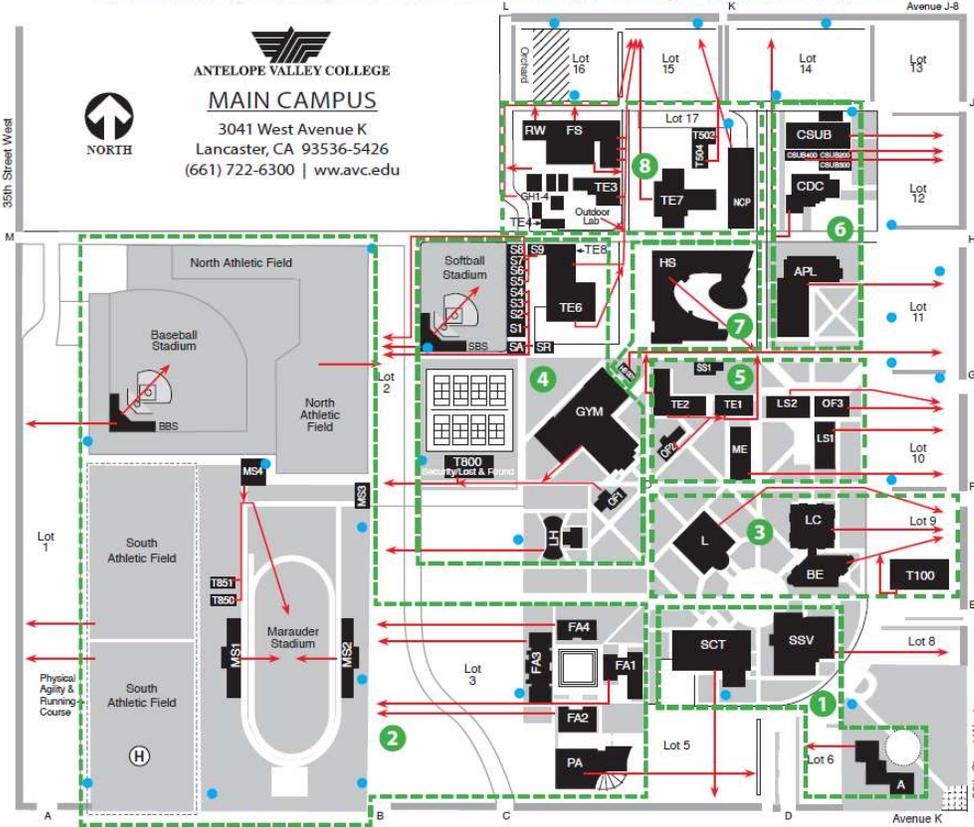
Cafeteria staff will make food stock and water available to campus emergency service providers whenever feeding becomes necessary during a disaster.

EMERGENCY EVACUATION ROUTES

AREA EVACUATION MAP

NOTE: Evacuate your building via the shortest safest route to your building's evacuation assembly area.

ANTELOPE VALLEY COLLEGE
MAIN CAMPUS
 3041 West Avenue K
 Lancaster, CA 93536-5426
 (661) 722-6300 | www.avc.edu



| LEGEND | |
|--------|--|
| A | Administration Bldg. |
| APL | Applied Arts, Allied Health, & Offices |
| BBS | Baseball Stadium |
| BE | Business Ed., IMC, & Offices |
| CDC | Child Development Center |
| CSUB | CSU Bakersfield-Antelope Valley |
| FA1 | Fine Arts (Art & Gallery) |
| FA2 | Fine Arts (Black Box) |
| FA3 | Fine Arts (Music & Offices) |
| FA4 | Fine Arts |
| FS | Facilities Services |
| GH1-4 | Greenhouses |
| GYM | Gymnasium (PE & Offices) |
| HS | Health & Sciences Building |
| HS 001 | Health & Sciences Greenhouse |
| L | Library |
| LC | Learning Center |
| LH | Lecture Halls |
| LS1 | Liberal Studies & Offices |
| LS2 | Liberal Studies |
| ME | Math/Engineering |
| MS1-2 | Marauder Stadium |
| MS3 | Marauder Stadium Ticket Booth |
| MS4 | Marauder Stadium Concessions/Restrooms |
| NCP | North Central Plant |
| OF1 | Offices: Math/Science |
| OF2 | Offices: PE |
| OF3 | Offices: Language Arts & Social Science |
| PA | Performing Arts Theatre |
| RW | Receiving/Warehouse |
| SA | Soar High School Administration |
| S1-9 | Soar High School |
| SBS | Softball Stadium |
| SCT | Student Center (Bookstore, Cafeteria) |
| SR | Soar High School Restrooms |
| SS1 | Electrical Substation |
| SSV | Student Services & Information |
| T100 | Assessment/Office for Students with Disabilities |
| T503 | Fire Technology |
| T800 | LASD-AVC Unit (Security, Lost & Found) |
| T850-1 | Field House: Home-Visitors |
| TE1 | Technical Ed.—Electronics |
| TE2 | Technical Ed.—Welding/Fire Technology |
| TE3 | Technical Ed.—Agriculture Lab |
| TE4 | Equipment Building |
| TE6 | Technical Ed.—Automotive |
| TE7 | Technical Ed.—Technology |
| TE8 | Technical Ed.—Auto Body |
| ● | Emergency Phone |
| (H) | Helicopter Landing Zone |

DRILL ZONES: 1 A, SSV, SCT 2 FA1-FA4, PA, NO. & SO. ATHLETIC FIELDS, MS1-4, T850-1 3 BE, L, LC, T100 4 LH, OF1, GYM, T800, SA, S1-59, SR, SBS, TE6, TE8 5 LS1, LS2, ME, OF2, OF3, SS1, TE1, TE2 6 APL, CDC, CSUB 7 HS, HS001 8 FS, GH1-4, RW, T501-4, TE3-4, TE7, NCP
 DRILL MONTH: 1 NOVEMBER 2 FEBRUARY 3 NOVEMBER 4 FEBRUARY 5 APRIL 6 SEPTEMBER 7 APRIL 8 SEPTEMBER

REV. 9/23/15

EMERGENCY SUPPLIES CHECKLIST

EMERGENCY SUPPLIES CHECKLIST

First Aid Supplies (kept in the SOAR office)

- a) Bandages
- b) Band-Aids
- c) Gauze
- d) Tape
- e) Icepacks
- f) Saline Solution
- g) Water
- h) Juice
- i) Snacks

All other emergency supplies are stored in a Conex box and with Sheriffs on AVC's campus and managed by the AVC Sherriff's Department (6399) and AVC's Risk Management (6033). Either should be notified in the case of emergency.

SCHOOL CRIME ASSESSMENT DATA

SOAR Discipline Entries for 2016-2017

| Grade Level | Number of Incidents | Title |
|-------------|---------------------|---|
| 9 | 4 | Academic Dishonesty |
| 10 | 1 | Academic Dishonesty |
| 12 | 1 | Academic Dishonesty |
| 9 | 1 | Classroom Defiance |
| 11 | 1 | Disturbing Email to Teacher |
| 9 | 4 | Excessive Tardies |
| 10 | 1 | Excessive Tardies |
| 11 | 3 | Excessive Tardies |
| 12 | 15 | Excessive Tardies |
| 9 | 2 | Excessive Unverified Absences |
| 10 | 8 | Excessive Unverified Absences |
| 11 | 5 | Excessive Unverified Absences |
| 12 | 10 | Excessive Unverified Absences |
| 12 | 5 | Hanging out in a Student Car in the AVC Parking Lot |
| 9 | 5 | Inappropriate Behavior |
| 10 | 2 | Inappropriate Behavior |
| 11 | 4 | Inappropriate Behavior |
| 12 | 4 | Inappropriate Behavior |
| 10 | 8 | Not Complying with AP Expectations |
| 11 | 2 | Not Complying with AP Expectations |
| 12 | 7 | Not Complying with AP Expectations |
| 10 | 1 | SART Meeting |
| 11 | 1 | SART Meeting |
| 12 | 5 | SART Meeting |
| 9 | 1 | Truant |

COMPLIANCE

| ACTIVITY | DATE |
|-------------------------------------|-------------|
| Law Enforcement Review | 8/1/2016 |
| School Site Safety Committee Review | 11/29/2017 |
| Board Approval | TBD |
| Post on SARC | TBD |
| Post on School Website | TBD |

APPENDIX

A: Board Policies

- **BP/AR 0410: Non Discrimination in District Programs and Activities**

Philosophy, Goals, Objectives

BP 0410(a)

and Comprehensive Plans

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

The Governing Board is committed to equal opportunity for all individuals in education. District programs and activities shall be free from discrimination based on gender, *sex*, race, color, religion, ancestry, national origin, ethnic group *identification*, marital or parental status, physical or mental disability, sexual orientation or the perception of one or more of such characteristics. The Board shall promote programs which ensure that discriminatory practices are eliminated in all district activities.

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4032 - Reasonable Accommodation)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

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

(cf. 6145.2 - Athletic Competition)

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

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

(cf. 6178 - Vocational Education)

(cf. 6200 - Adult Education)

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act.

The Superintendent or designee shall ensure that the district provides auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, notetakers, written materials, taped text, and Braille or large print materials.

(cf. 5124 - Communication with Parents/Guardians)

Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the school-sponsored function, program or meeting.

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

The Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination. Such notification shall be included in each

and Comprehensive Plans

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

announcement, bulletin, catalog, application form or other recruitment materials distributed to these groups. (34 CFR 104.8, 106.9)

The Superintendent or designee shall also provide information about related complaint procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

In compliance with law, the district's nondiscrimination policy shall be published in the individual's primary language to the extent practicable.

(cf. 5145.6 - Parental Notifications)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48985 Notices to parents in language other than English

GOVERNMENT CODE

11000 Definitions

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

54953.2 Brown Act compliance with Americans with Disabilities Act

PENAL CODE

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

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

UNITED STATES CODE, TITLE 20

1400-1487 Individuals with Disabilities in Education Act

1681-1688 Discrimination based on sex or blindness, Title IX

2301-2415 Carl D. Perkins Vocational and Applied Technology Act

6311 State plans

6312 Local education agency plans

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended
2000h-2000h-6 Title IX
12101-12213 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 28
35.101-35.190 Americans with Disabilities Act

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

36.303 Auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:

106.9 Dissemination of policy

Management Resources:

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

Protecting Students from Harassment and Hate Crime, January, 1999

Notice of Non-Discrimination, January, 1999

Nondiscrimination in Employment Practices in Education, August, 1991

WEB SITES

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

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

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

Pacific Disability and Business Technical Assistance Center: <http://www.pacdbtac.org>

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Policy adopted: November 13, 1990

Lancaster, California

Revised: October 6, 1999; May 1, 2002; October 15, 2003

- **BP/AR 0450: Comprehensive Safety Plan**

Philosophy-Goals-Objectives & Comprehensive Plans

BP 0450 (a)

COMPREHENSIVE SAFETY PLANS

The Board of Trustees recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and to creating a positive learning environment that teaches strategies for violence prevention and high expectations for student conduct, responsible behavior and respect for others.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 3515 - Campus Security)
(cf. 3515.2 - Disruptions)
(cf. 3515.3 - District Police/Security Department)
(cf. 5131 - Conduct)
(cf. 5131.4 - Student Disturbances)
(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5136 - Gangs)
(cf. 5137 - Positive School Climate)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

The school site council at each district school shall develop a comprehensive school safety plan relevant to the needs and resources of that particular school. New school campuses shall develop a safety plan within one year of initiating operations. (Education Code 32281, 32286)

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)

The school safety plan shall take into account the school's staffing, available resources, and building design, as well as other factors unique to the site.

Each school shall forward its comprehensive safety plan to the Board for approval. (Education Code 32288)

The comprehensive safety plan(s) shall be reviewed and updated by March 1 of each year. (Education Code 32286)

The Board shall review the comprehensive safety plan(s) in order to ensure compliance with state law, Board policy, and administrative regulation and shall approve the plan(s) at a regularly scheduled meeting.

COMPREHENSIVE SAFETY PLANS

(cf. 0500 - Accountability)
(cf. 9320 - Meetings and Notices)

By October 15 of each year, the Superintendent or designee shall notify the California Department of Education of any schools that have not complied with the requirements of Education Code 32281. (Education Code 32288)

Public Access to Safety Plan(s)

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282)

(cf. 1340 - Access to District Records)

Legal Reference:

EDUCATION CODE

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

35294-35294.9 School safety plans

35294.10-35294.15 School Safety and Violence Prevention Act

41510-41514 School Safety Consolidated Competitive Grant Program

48900-48926 Suspension and expulsion

48950 Speech and other communication

49079 Notification to teacher; student act constituting grounds for suspension or expulsion

67381 Violent crime

PENAL CODE

422.55 Definition of hate crime

626.8 Disruptions

11164-11174.3 Child Abuse and Neglect Reporting Act

CALIFORNIA CONSTITUTION

Article 1, Section 28(c) Right to Safe Schools

CODE OF REGULATIONS, TITLE 5

11987-11987.7 School Community Violence Prevention Program requirements

11992-11993 Definition, persistently dangerous schools

UNITED STATES CODE, TITLE 20

7101-7165 Safe and Drug Free Schools and Communities

7912 Transfers from persistently dangerous schools

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

COMPREHENSIVE SAFETY PLANS

Management Resources:

CSBA PUBLICATIONS

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

Community Schools: Partnerships Supporting Students, Families and Communities, Policy Brief, October 2010

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

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

CDE PUBLICATIONS

Safe Schools: A Planning Guide for Action, 2002

U.S. 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

U.S. SECRET SERVICE AND U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates, 2002

WEB SITES

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

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

California Emergency Management Agency: <http://www.calema.ca.gov>

California Healthy Kids Survey: <http://chks.wested.org>

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

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

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

National Center for Crisis Management: <http://www.schoolcrisisresponse.com>

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

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

U.S. Secret Service, National Threat Assessment Center:

http://www.secretservice.gov/ntac_ssi.shtml

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Policy adopted: February 7, 2001

Lancaster, California

Policy revised: June 18, 2013

COMPREHENSIVE SAFETY PLANS

Development and Review of Comprehensive School 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; and
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 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. The local mayor
2. A representative of the local school employee organization
3. A representative of each parent organization at the school, including the parent teacher association and parent teacher clubs

(cf. 1230 - School-Connected Organizations)

Philosophy-Goals-Objectives & Comprehensive Plans

AR 0450 (b)

COMPREHENSIVE SAFETY PLANS

4. A representative of each teacher organization at the school

(cf. 4140/4240/4340 - Bargaining Units)

5. A representative of the school's student body government

6. All persons who have indicated that they want to be notified

In addition, the school site council or safety planning committee may notify, in writing, the following entities of the public meeting: (Education Code 32288)

1. Representatives of local religious organizations

2. Local civic leaders

3. Local business organizations

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

Content of the Safety Plan

Each comprehensive safety plan shall include an assessment of the current status of school crime committed 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. 0510 - School Accountability Report Card)

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 Americans with

Philosophy-Goals-Objectives & Comprehensive Plans

AR 0450 (c)

COMPREHENSIVE SAFETY PLANS

(cf. 6159 - Individualized Education Program)

- b. An earthquake emergency procedure system in accordance with Education Code 32282

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 3516.3 - Earthquake Emergency Procedure System)

- c. A procedure to allow public agencies, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare

(cf. 1330 - Use of School Facilities)

(cf. 3516.1 - Fire Drills and Fires)

(cf. 3516.2 - Bomb Threats)

(cf. 3516.5 - Emergency Schedules)

(cf. 3543 - Transportation Safety and Emergencies)

- 3. Policies pursuant to Education Code 48915(d) for students who commit an act listed in Education Code 48915(c) and other school-designated serious acts 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))

- 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)*

COMPREHENSIVE SAFETY PLANS

7. Procedures for safe ingress and egress of students, parents/guardians, and employees to and from school

(cf. 5142 - Safety)

8. A safe and orderly school environment conducive to learning

(cf. 5137 - Positive School Climate)

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

(cf. 5144 - Discipline)

10. Hate crime reporting procedures

(cf. 5145.9 - Hate-Motivated Behavior)

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)

COMPREHENSIVE SAFETY PLANS

4. Parent involvement strategies, including strategies to help ensure parent/guardian support and reinforcement of the school's rules and increase the number of adults on campus

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

5. Prevention and intervention strategies related to the sale or use of drugs and alcohol which shall reflect expectations for drug-free schools and support for recovering students

(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.61 - Drug Testing)
(cf. 5131.62 - Tobacco)
(cf. 5131.63 - Steroids)

6. Collaborative relationships among the city, county, community agencies, local law enforcement, the judicial system, and the schools that lead to the development of a set of common goals and community strategies for violence prevention instruction

(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 - Intradistrict 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 SAFETY PLANS

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

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Regulation approved: February 7, 2001

Lancaster, California

Regulation revised: June 19, 2013

• **BP/AR 1250: Visits to Schools**

Community Relations

BP 1250 (a)

VISITS TO THE SCHOOLS

The Board of Trustees encourages parents/guardians and interested members of the community to visit the schools, view the educational program, and offer constructive comments to the Board.

Besides inviting parents/guardians and the community to open house activities and other special events, the Superintendent or designee shall develop procedures which facilitate visits during regular school days when all visitors must first register at the school office.

The principal or designee may refuse to register any visitor whose acts or presence he/she judges would disrupt normal school operations, threaten the health and safety of students or staff, or cause property damage. (Penal Code 627.4)

To ensure minimum interruption of the regular classroom program, school visits should be first arranged with the teacher and principal or designee. If a conference is desired, an appointment should be set with the teacher for a time before school, after school, or during the teacher's preparation period.

The Board recognizes that under California law, any person whose conduct materially disrupts class work or extracurricular activities or cause a disturbance on school grounds may be guilty of a misdemeanor and subject to a fine, imprisonment, or both. (Education Code 44811, Penal Code 415.5) When such conduct occurs, the Superintendent or designee may call the police.

Possession of unauthorized dangerous instruments, weapons or devices is prohibited on school premises, on any public right-of-way immediately adjacent to school property, or any other place where a teacher and student(s) are required to be in connection with assigned school activities.

(cf. 3514 - Safety)

(cf. 3515 - Security)

(cf. 4158 - Employee Protection)

(cf. 5131.7 - Weapons and Dangerous Instruments)

Legal Reference:

EDUCATION CODE

32210 Willful disturbance of public school or meeting: misdemeanor

32211 Threatened disruption or interference with classes; misdemeanor

35292 Visits to schools (board members)

44810 Willful interference with classroom conduct

44811 Disruption of classwork or extracurricular activities

49334 Injurious objects - notice to law enforcement agency

PENAL CODE

243.5 Assault or battery on school property

415.5 Disturbance of peace of school

626 Definitions (re disruption of schools)

626.4 Notice of withdrawal or consent; report; action on report; reinstatement of consent; hearing; unlawful entry upon campus or facility; punishment

626.6 Committing act, or entry upon campus or facility to commit act, likely to interfere with peaceful activities

- 626.8 Disruptive presence at schools
- 626.9-626.10 Bringing or possessing firearms or weapons on school grounds
- 627-627.3 Access to school premises
- 627.4 Refusal or revocation of registration
- 627.5 Hearing request following denial or revocation of registration
- 627.6 Posted signs
- 653 Loitering about schools or public places

VISITS TO THE SCHOOLS

The Superintendent or designee shall post at every entrance to each school site and school grounds a notice setting forth school hours, visitor registration requirements, penalties for refusing to leave school grounds, and any other announcements required by the local law enforcement agency in order to pursue the arrest of persons found loitering or trespassing. (Education Code 32211, Penal Code 627.6)

Immediately upon entering any school building or grounds, any person who is not a student of the school or a district officer or employee shall, when school is in session, report his/her presence and the reason for visiting the school to the principal or designee. Any person the principal or designee asks to leave school grounds shall promptly comply.

The principal or designee shall provide visible means of identification to be used by all visitors while on school premises.

All staff members should watch for strangers on school grounds and ask such persons if they have registered in the school office. Staff shall inform the principal when anyone is present who refuses to comply with the registration requirement.

Any possession of unauthorized dangerous instruments, weapons or devices shall be reported immediately to the principal or designee and may be reported to the local law enforcement agency.

Any visitor who fails to register within a reasonable time after entering the school grounds, who fails to leave upon request of the principal or designee, or who returns after leaving pursuant to such a request has committed an unlawful act and may be prosecuted according to law.

Any person who complies with the principal or designee's request to depart from school grounds may appeal to the Superintendent or designee or principal. The written request for a hearing must be made within five days after the person's departure from school and must state why the request to depart was improper. The request also must provide an address to which a hearing notice may be sent. Upon receipt of the request for a hearing, the Superintendent or designee or principal shall mail a notice of the hearing to the person requesting it. The hearing shall be held within seven days after receipt of the request.

The decision of the Superintendent or designee or principal may be appealed to the Board of Trustees. The Board shall consider and decide the matter at the next regular public Board meeting for which it can be placed on the agenda. The Board's decision shall be final.

• **BP/AR 1310.1: Civility Policy**

Community Relations

BP 1310.1 (a)

CIVILITY POLICY

Members of Antelope Valley Union High School District staff will treat parents and other members of the public with respect and expect the same in return. The District is committed to maintaining orderly educational and administrative processes in keeping schools and administrative offices free from disruptions and preventing unauthorized persons from entering school/District grounds.

This policy promotes mutual respect, civility and orderly conduct among District employees, parents and the public. This policy is not intended to deprive any person of his/her right to freedom of expression, but only to maintain, to the extent possible and reasonable, a safe, harassment-free workplace for our students and staff. In the interest of presenting District employees as positive role models to the children of this District, as well as the community, AVUHSD encourages positive communication, and discourages volatile, hostile or aggressive actions. The District seeks public cooperation with this endeavor.

(cf. 0410.1 Recognition of Human Diversity)

Disruptions

1. Any individual who disrupts or threatens to disrupt school/office operations; threatens the health and safety of students or staff; willfully causes property damage; uses loud and/or offensive language which could provoke a violent reaction; or who has otherwise established a continued pattern of unauthorized entry on school District property, will be directed to leave school or school District property promptly by the Principal or designee.
2. If any member of the public uses obscenities or speaks in a demanding, loud, insulting and/or demeaning manner, the administrator or employee to whom the remarks are directed will admonish the speaker to communicate civilly. If corrective action is not taken by the abusing party, the District employee will verbally notify the abusing party that the meeting, conference or telephone conversation is terminated and, if the meeting or conference is on District premises, the offending person will be directed to leave promptly.
3. When an individual is directed to leave under such Paragraph 1 or 2 circumstances, the Principal or designee shall inform the person that he/she will be guilty of a misdemeanor in accordance with California Education Code 44811 and Penal Codes 415.5 and 626.7, if he/she reenters any District facility within 30 days after being directed to leave, or within 14 days if the person is a parent/guardian of a student attending that school. If any individual refuses to leave upon request or returns before the applicable period of time, the Principal or designee may notify law enforcement officials. An Incident Report (Exhibit 1310.1 (a)) should be completed for the situations as set forth in Paragraphs 1 and 2.

CIVILITY POLICY

(cf. 5146 Campus Disturbance)
(cf. 5146 (c) Disturbing the Peace)
(cf. 9323 Meeting Conduct)

Safety and Security

4. The Superintendent or designee will ensure that a safety and/or crisis intervention techniques program is provided in order to raise awareness on how to deal with these situations if and when they occur.

5. When violence is directed against an employee, or theft against property, employees shall promptly report the occurrence to their Principal or supervisor and complete an Incident Report. Employees and supervisors should complete an Incident Report and report to law enforcement, any attack, assault or threat made against them on school/District premises or at school/District sponsored activities.

Documentation

6. When it is determined by staff that a member of the public is in the process of violating the provisions of this policy, an effort should be made by staff to provide a written copy of this policy, including applicable code provisions, at the time of occurrence. The employee will immediately notify his/her supervisor and provide a written report of the incident on the attached form.

Legal Reference:

- EDUCATION CODE
- 32210 Disturbing School
- 44014 Assault on Personnel
- 44810 Person on School Grounds
- 44811 Insults and Abuses
- PENAL CODE
- 243.5 Arrest on School Grounds
- 415.5 Fighting on School Grounds
- 626.8 Entry of School by Person Not on Lawful Business
- 627.7 Refusal to Leave School Grounds

• **BP/AR 3515.1: Crime Data Reporting**

Business and Non-instructional Operations

AR 3515.1(a)

CRIME DATA REPORTING

The principal or designee at each school shall complete a California Safe Schools Assessment (CSSA) incident form for each incident of school crime, including hate-motivated incidents and hate crimes. The information on the form includes, but is not limited to, identification of the crime or hate-motivated incident, victim characteristics, suspect characteristics if known at the time of the incident, and the actual or estimated dollar loss to the district resulting from a criminal act directed against district property. (*Penal Code 628.2; 5 CCR 701*)

(*cf. 3515.4 - Recovery for Property Loss or Damage*)
(*cf. 5145.9 - Hate-Motivated Behavior*)

The principal or designee shall use the crime and hate-motivated incident classifications specified in 5 CCR 700 and the reporting guidelines specified in 5 CCR 702 to determine if an incident is reportable. (*5 CCR 701*)

Each month, the principal shall report the data to the Superintendent or designee. (*5 CCR 701*)

On or before February 1 and August 1 of each year, the Superintendent or designee shall aggregate the data reported by the schools and report this aggregated data to the California Department of Education or its designee. (*5 CCR 701*)

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

The Superintendent or designee shall certify to the best of his/her knowledge and belief that the information in each CSSA form is true, accurate and complete prior to submission to the California Department of Education or its designee. (*5 CCR 704*)

Copies of CSSA incident forms and any district-wide aggregated data shall be made available to the public upon request. (*Penal Code 628.2*)

(*cf. 1112 - Media Relations*)

Supporting Data

The district shall make available, for at least three years from the date the report was submitted, supporting data which verifies information contained on the CSSA forms. Such data shall include, but not be limited to: (*5 CCR 702*)

1. Reports to local law enforcement officers for the crime classifications specified in Education Code 48915(a)-(d).
2. Suspension and expulsion reports which have been reported to the Governing Board for the crime classifications specified in Education Code 48915(a)-(d).

CRIME DATA REPORTING

- (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))*

3. Insurance claims, maintenance records and other documents to verify economic loss, if applicable

- (cf. 0510 - School Accountability Report Card)*
- (cf. 1340 - Access to District Records)*
- (cf. 3515 - Campus Security)*
- (cf. 3530 - Risk Management/Insurance)*

Legal Reference:

EDUCATION CODE

14044 Crimes committed on school grounds

48915 Expulsion

PENAL CODE

628-628.6 Reporting of school crime

CODE OF REGULATIONS, TITLE 5

700-705 Safe schools assessment programs

Management Resources:

CSBA Publications

Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1995,
revised 1999

CDE PUBLICATIONS

Understanding and Reporting School Crime, California Safe Schools Assessment,
California Department of Education and Butte County Office of Education, 1995

WEB SITES

CDE Safe Schools and Violence Prevention Office:

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

Butte County Office of Education (CDE's designee): <http://www.cssa.butte.k12.ca.us>

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

- **BP/AR 3516: Emergencies and Disaster Preparedness Plan**

Business and Non-instructional Operations

BP 3516(a)

EMERGENCIES AND DISASTER PREPAREDNESS PLAN

In order to save lives and protect property, all district staff and students must be prepared to respond quickly and responsibly to emergencies, disasters and events which threaten to result in a disaster.

The Superintendent or designee shall develop and maintain a disaster preparedness plan, which details provisions for handling all foreseeable emergencies and disasters. The Superintendent or designee may appoint a committee to regularly review the disaster preparedness plan and recommend changes.

The principal or designee shall augment the district plan with working plans and procedures specific to each school. He/she shall present a copy of these site plans and procedures to the Superintendent.

District and site plans shall address at least the following situations:

1. Fire on or off school grounds which endangers students.
2. Natural or man-made disasters.

(cf. 3516.3 - Earthquake Emergency Procedure System)

3. Bomb threat or actual detonation.

(cf. 3516.2 - Bomb Threats)

4. Attack or disturbance by individuals or groups.

(cf. 0450 - Comprehensive Safety Plan)

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

(cf. 3514 - Environmental Safety)

(cf. 3515 - Campus Security)

(cf. 3515.2 - Disruptions)

(cf. 3530 - Risk Management/Insurance)

(cf. 5131.4 - Campus Disturbances)

The Superintendent or designee should ensure that the plan includes:

1. Procedures for personal safety and security.
2. Ways to ensure smooth administrative control of operations during a crisis.
3. Procedures to establish a clear, effective communications system.

Business and Non-instructional Operations

BP 3516(b)

EMERGENCIES AND DISASTER PREPAREDNESS PLAN

4. Guidelines for law enforcement involvement, including specific steps for law enforcement intervention depending upon the intensity of the crisis.

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

The Superintendent or designee shall consult with city and/or county agencies so that district and site plans may provide the best possible way of handling each situation and also provide for emergency communications systems between these agencies and each district school.

The Superintendent or designee may provide a plan, which allows bus seating capacity limits to be exceeded when a disaster or hazard requires students to be moved immediately to ensure their safety. (Education Code 38051)

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

Disaster preparedness exercises shall be held regularly at each school site and shall demonstrate how safety procedures may be applied to various types of emergencies. All students and employees shall receive instruction regarding emergency plans.

The Board encourages all employees to become proficient in first aid and cardiopulmonary resuscitation (CPR). The Superintendent or designee shall ascertain that at least one staff member at each school holds a valid certificate in these areas. The Superintendent or designee shall provide for CPR in-service training to be offered at least once a year for district staff.

Legal Reference:

EDUCATION CODE

32001 *Fire alarm and drills*

32040 *Duty to equip school with first aid kit*

35295-35297 *Earthquake emergency procedures*

38132 *Mass care and welfare shelters*

39834 *Operating overloaded bus*

46390-46392 *Emergency average daily attendance in case of disaster*

49505 *Natural disaster; meals for homeless students; reimbursement*

GOVERNMENT CODE

3100 *Public employees as disaster service workers*

8607 *Standard emergency management system*

CODE OF REGULATIONS, TITLE 5

550 *Fire drills*

560 *Civil defense and disaster preparedness plans*

CODE OF REGULATIONS, TITLE 19

2400 *et seq. Standardized Emergency Management System Regulations*

Business and Non-instructional Operations

BP 3516(c)

EMERGENCIES AND DISASTER PREPAREDNESS PLAN

Management Resources:

CDE PROGRAM ADVISORIES

0224.94 Contingency Planning for School Campus Emergencies, CIL: 93/94-04

GOVERNOR'S OFFICE OF EMERGENCY SERVICES

Standardized Emergency Management System (SEMS) Guidelines, March 1995

SEMS Approved Course of Instruction, March 1995

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Policy Adopted: September 5, 2001

Lancaster, California

Technical revision: January 28, 2002

EMERGENCIES AND DISASTER PREPAREDNESS PLAN

The district disaster preparedness plan shall be available to staff, students and the public in the office of the Superintendent and in the office of each principal. Individual school site disaster plans shall be provided to each teacher and shall be available for public inspection at the principal's office. The principal shall make certain that students and staff are familiar with their site plan.

The Governing Board shall grant the use of school buildings, grounds and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The Board shall cooperate with such agencies in furnishing and maintaining whatever services it deems necessary to meet the community's needs.
(Education Code 38132)

Release of Students

The following procedures shall be followed in releasing students in the event of an emergency or disaster:

1. The principal or designee shall receive authorization from the Superintendent or designee before releasing students.
2. Individual students shall not leave a school site without receiving permission from the principal or designee.
3. If possible, staff shall release students only to persons authorized on the student emergency card.
4. In absence of an emergency card or in an emergency in which reference to the emergency card is impossible, individual students shall be released, upon presentation of identification, to parents/guardians, persons authorized by the parents/guardians, or to authorized persons representing public agencies that may take responsibility, when necessary, for the safety of the student.
5. The principal or designee shall record the release of all students.

Role of Staff

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

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

Business and Non-instructional Operations

AR 3516(b)

EMERGENCIES AND DISASTER PREPAREDNESS PLAN

During an emergency, staff shall fulfill roles as defined in the District and site Disaster Preparedness Plan.

(cf. 4119.3 - Duties of Personnel)

• **BP/AR 3516.3: Earthquake Emergency Procedure System**

Business and Noninstructional Operations

BP 3516.3 (a)

EARTHQUAKE EMERGENCY PROCEDURE SYSTEM

Earthquakes occur without warning. For their safety, students shall be taught methods of protecting themselves.

The Superintendent or designee shall establish an emergency procedure system to be followed in case of earthquakes. This system shall include, but not be limited to, the following:

1. A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of students and staff. This plan should outline roles, responsibilities and procedures for students and staff.
2. A DROP procedure, whereby each student and staff member takes cover under a table or desk, drops to the knees, protects the head with arms, and faces away from the window.
3. Protective measures to be taken before, during and after an earthquake.
4. A training program to ensure that all students and all certificated and classified staff are aware of, and properly skilled in, the earthquake emergency procedure system. (Education Code 35297)

Drop procedures shall be practiced at least once each semester in secondary schools. (Education Code 35297)

Legal Reference:

EDUCATION CODE

35295-35297 Emergency earthquake procedures

Policy adopted: November 13, 1990

Lancaster, California

EARTHQUAKE EMERGENCY PROCEDURE SYSTEM

Earthquake While Indoors at School

When an earthquake occurs, the following actions shall be taken inside the school building and in individual classrooms:

1. The teacher or other person in authority shall implement the DROP and HOLD action. Each student shall:
 - a. Get under furniture (desk, table, etc.) where available. Otherwise get next to an inside wall or under an inside doorway.
 - b. Drop to knees with back to the windows and knees together.
 - c. Clasp both hands firmly behind the head, covering the neck. Clasp other hand to furniture providing protection.
 - d. Bury face in arms, protecting the head. Close the eyes tightly.
 - e. Stay there until the procedure or emergency is over or until subsequent instructions are given. Such instructions will depend upon circumstances and the extent of damage to the buildings.
2. As soon as possible, teachers shall move the students away from windows and out from under heavy suspended light fixtures.
3. Teachers shall implement action to LEAVE THE BUILDING when the earthquake is over. Teachers shall ensure that students do not run, particularly on stairways.

Earthquake While on School Grounds

When an earthquake occurs, the following actions shall be taken if teachers and students are on school grounds:

1. The teacher or other person in authority shall direct the students to WALK away from buildings, trees, poles, or exposed wires.
2. The teacher shall implement the DROP action. Teachers and students shall cover as much skin surface as possible, close eyes, and cover ears.
3. Teachers and students shall stay in the open until the earthquake is over, or until further directions are given.

EARTHQUAKE EMERGENCY PROCEDURE SYSTEM

Subsequent Emergency Procedures

1. Teachers shall see that students avoid touching electrical wires that may have fallen.
2. Teachers or students shall not light any fires after the earthquake until the area is declared safe. Laboratory or shop teachers shall be watchful of students' relighting burners or stoves.
3. Teachers shall render first aid if necessary.
4. Teachers shall take roll of their classes.
5. The principal shall see that security are posted at a safe distance from all building entrances to see that no one reenters for any reason until the buildings are declared safe. Guards may be custodians, teachers, or students.
6. The principal shall direct a custodian to shut off all pilot lights on water heaters or furnaces, as well as stoves in homemaking classrooms.
7. The principal shall request assistance as needed, through appropriate channels, from the county or city civil defense office or fire and police departments.
8. The principal shall notify utility companies of any break or suspected break in lines which may present an additional hazard. If damage has occurred, the custodian shall shut off all utilities at the main valve.
9. The principal shall, if possible, contact the district office for further instructions.
10. The principal shall determine the advisability of closing the school, after a site inspection has been conducted by site and/or district personnel.
11. The status of site facilities shall be communicated to the principal or designee.
12. The principal or designee shall notify the Superintendent or designee of the operational status of the site.

EARTHQUAKE EMERGENCY PROCEDURE SYSTEM

General Procedures

Students shall be taught the following safety precautions to be taken during an earthquake in the event that adults are not present to give specific directions:

1. The safest place to be is in the open. Stay there.
2. Move away from buildings, trees, and exposed wires. **DO NOT RUN!**
3. After the earthquake, if you are on your way to school, continue to school.
4. After the earthquake, if you are on your way home, continue home.

Inspections After Earthquake

1. The school custodian shall make a thorough inspection immediately after a severe earthquake.

Check points: Large cracks affecting buildings

Earth slippage affecting buildings

Water leaks

Gas leaks

Electrical breakages

If leaks are detected, the custodian shall shut off the utility in the building affected and notify the maintenance department.

2. The building principal shall inspect the facility and if the principal believes the school is damaged sufficiently to be a hazard, he/she shall notify the Superintendent or designee and ask the City Building Inspector to check for structural failure and equipment adequacy. Until this is done, the building shall not be occupied.
3. The City Building Inspector shall be responsible for determining if the structure is safe for occupancy. The Superintendent or designee shall expedite reconstruction and replacement of equipment.

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Regulation approved: November 13, 1990

Lancaster, California

- **BP/AR 4119.11/4219.11/4319.11: Sexual Harassment**

Personnel

BP 4119.11 4219.11,4319.11 (a)

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 administrative regulation.

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

(cf. 4030 - Nondiscrimination in Employment)

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

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

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

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

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

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

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

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

(cf. 4031 - Complaints Concerning Discrimination in Employment)

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

SEXUAL HARASSMENT

(cf. 4117.4 - Dismissal)

(cf. 4118 - Suspension/Disciplinary Action)

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

12950.1 Sexual harassment training

LABOR CODE

1101 Political activities of employees

1102.1 Discrimination: sexual orientation

CODE OF REGULATIONS, TITLE 2

7287.8 Retaliation

CODE OF REGULATIONS, TITLE 5

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

UNITED STATES CODE, TITLE 42

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

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

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

CODE OF FEDERAL REGULATIONS, TITLE 34

106.9 Dissemination of policy

COURT DECISIONS

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

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

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

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

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

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

Management Resources:

OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

Protecting Students from Harassment and Hate Crime, January, 1999

WEB SITES

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

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

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

Policy adopted: March 3, 1993

Lancaster, California

Policy revised: September 15, 1999; February 6, 2002, May 5, 2004, October 19, 2005

SEXUAL HARASSMENT

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when: (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 unreasonably interfering with the other individual's work performance; creating an intimidating, hostile, or offensive work environment; or adversely affecting the other individual's evaluation, advancement, assigned duties, or any other condition of employment or career development
4. Submission to or rejection of the conduct by the other individual is used as the basis for any decision affecting him/her regarding benefits, services, honors, programs, or activities available at or through the district

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

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

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

SEXUAL HARASSMENT

Training

By January 1, 2006, and every two years thereafter, the Superintendent or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All newly hired or promoted supervisory employees shall receive training within six months of their assumption of the supervisory position. (Government Code 12950.1)

The district's training and education program for supervisory employees shall include information and practical guidance regarding the federal and state statutory law 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 practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

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

Notifications

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

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

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

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

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

1. The illegality of sexual harassment

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 DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC
7. The protection against retaliation provided by 2 CCR 7287.8 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Regulation adopted: March 3, 1993

Lancaster, California

Regulation revised: September 15, 1999; February 6, 2002, May 5, 2004, October 19, 2005

- **BP/AR 4158/4258/4358: Employee Security**

All Personnel

BP 4158/4258/4358 (a)

EMPLOYEE SECURITY

The Governing Board desires to provide a safe, orderly working environment for all employees. As part of the district's comprehensive school safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and providing them with necessary assistance and support when emergency situations occur.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515 - Campus Security)
(cf. 5131.4 - Campus Disturbances)

Any employee against whom violence or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. The Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace. In addition, the Superintendent or designee may initiate legal proceedings against any individual to recover damages for injury caused by the willful misconduct of that individual to the person or property of an employee or another person on district premises.

(cf. 3320 - Claims and Actions Against the District)
(cf. 3515.4 - Recovery for Property Loss or Damage)

The Superintendent or designee shall ensure that employees are trained in crisis prevention and intervention techniques in order to protect themselves and students. Staff development may include training in classroom management, effective communication techniques, and crisis resolution.

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

The Superintendent or designee also shall ensure that employees are informed, in accordance with law, regarding crimes and offenses committed by students who may pose a danger in the classroom.

The Superintendent or designee may make available at appropriate locations, including, but not limited to, district and school offices, gyms, and classrooms, communication devices that would enable two-way communication with law enforcement and others when emergencies occur.

(cf. 5141 - Health Care and Emergencies)

Reporting of Injurious Objects

The Board requires employees to take immediate action upon being made aware that any person is in possession of an unauthorized 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 potential danger involved and, based upon this analysis, shall do one of the following:

All Personnel

BP 4158/4258/4358 (b)

EMPLOYEE SECURITY

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal, who shall take appropriate action
3. Immediately call 911 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.

Legal Reference:

EDUCATION CODE

32210-32212 Willful disturbance, public schools or meetings

32225-32226 Communication devices

35208 Liability insurance

35213 Reimbursement for loss, destruction or damage of school property

44014 Report of assault by pupil against school employee

44807 Duty concerning conduct of students

48201 Transfer of student records

48900-48926 Suspension or expulsion Grounds for suspension or expulsion

49079 Notification to teacher; student who has engaged in acts constituting grounds for suspension or expulsion

49330-49335 Injurious objects

CIVIL CODE

51.7 Freedom from violence or intimidation

CODE OF CIVIL PROCEDURE

527.8 Workplace violence safety act

GOVERNMENT CODE

995-996.4 Defense of public employees

3543.2 Scope of representation

PENAL CODE

71 Threatening public officers and employees and school officials

240-246.3 Assault and Battery Including:

241.3 Assault against school bus drivers

241.6 Assault on school employee includes board member

243.3 Battery against school bus drivers

243.6 Battery against school employee includes board member

245.5 Assault with deadly weapon; school employee includes board member

290 *Registration of sex offenders*
601 *Trespass by person making credible threat*

All Personnel

BP 4158/4258/4358 (c)

EMPLOYEE SECURITY

626-626.11 *School Crimes*
646.9 *Stalking*
12403.7 *Weapons approved for self defense*
WELFARE AND INSTITUTIONS CODE
827 *Juvenile court proceedings; reports; confidentiality*
828.1 *District police or security department, disclosure of juvenile records*
COURT DECISIONS
City of San Jose v. William Garbett, (2010) 190 Cal. App. 4th 526

Management Resources:

WEB SITES

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

*California Department of Education, Safe Schools and Violence Prevention Office:
<http://www.cde.ca.gov/lv/ss>*

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Policy adopted: September 3, 2003

Lancaster, California

Policy revised: November 7, 2012

EMPLOYEE SECURITY

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

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

Employees shall promptly report to the 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 the 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.

(cf. 3320 - Claims and Actions Against the District)
(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 3530 - Risk Management/Insurance)

Notice Regarding Student Offenses Committed While Under School Jurisdiction

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

(cf. 5125 - Student Records)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

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

EMPLOYEE SECURITY

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

Notice Regarding Student Offenses Committed While Outside School Jurisdiction

When 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 any counselor 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 the student or to protect students and staff. (Welfare and Institutions Code 827)

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

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

EMPLOYEE SECURITY

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 that one of his/her students has committed an offense that requires his/her review of a student's file in the school office. This notice shall not name or otherwise identify the student. The staff member shall be asked to initial the notification and return it to the 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.

• **BP/AR 4158.1/4258.1/4358.1: Teacher Notification of Dangerous Students**

Board Policy
Personnel

BP 4158.1 4258.1,4358.1

Teacher Notification of Dangerous Students

The Superintendent or designee shall inform the teacher of every student who has caused or tried to cause another person serious bodily injury or any physical injury which requires professional medical treatment. This information shall be based upon written district records or records received from a law enforcement agency. Teachers shall receive the information in confidence and shall not disseminate it further. (Education Code 49079)

The above information shall be made available for teachers to read, and a copy shall be kept in the student's file.

(cf. 3514 - Safety)

(cf. 5131.7 - Weapons and Dangerous Instruments)

Legal Reference:

EDUCATION CODE

44014 Report of assault by pupil against school employee

44807 Duty concerning conduct of pupils

48902 Notification of law enforcement authorities if student violates assault or controlled substance provision

48904 Parental liability

49079 Notification to teacher; student who has caused or attempted to cause serious bodily injury

48905 Injury or damage to person or property of school district employee; request for legal action

49331 Removal of injurious object from possession of pupil by designated employee

PENAL CODE

71 Threatening public officers and employees and school officials

241.2 Assault on school or park property against any person

241.3 Assault against school bus drivers

241.6 Assault on school employee

243 Battery; punishment

243.2 Battery on school or park property against any person

243.3 Battery against school bus drivers

243.6 Battery against school employee

CIVIL CODE

51.7 Freedom from violence or intimidation

Policy

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

adopted: November 13, 1990

Lancaster, California

Administrative Regulation

Personnel

AR 4158.1 4258.1,4358.1

Teacher Notification of Dangerous Students

1. The principal shall notify administrators, counselors and other pertinent individuals of the parameters for identifying records regarding "caused or attempted to cause serious bodily injury" under Education Code 49079.

A definition of "injury" and "serious bodily injury" in Penal Code 243 reads as follows:

- a. "Injury" means any physical injury which requires professional medical treatment.
- b. "Serious bodily injury" means a serious impairment of physical condition including, but not limited to, the following:
 - (1) Loss of consciousness.
 - (2) Concussion.
 - (3) Bone fracture.
 - (4) Protracted loss or impairment of function of any bodily member or organ.
 - (5) A wound requiring extensive suturing.
 - (6) Serious disfigurement.

2. The principal or designee will make the final determination if the student has caused or attempted to cause serious bodily injury.

3. Teacher notification shall begin first day of fall semester.

4. The principal or designee shall make a minimum of two attempts to notify the appropriate teachers of identified student.

The principal or designee shall on a quarterly basis verify that there has not been a program change regarding such a student which would require additional notices being sent to appropriate teachers.

5. Notification shall be by memo or note in the teacher's mailbox to "meet with administrator or designee to discuss and review records of a student pursuant to Education Code 49079." The student's name shall not be included on this note. The teacher will sign that they viewed this record and, at that time will be apprised that the law requires that any information received by a teacher regarding such students be received in confidence and not be further disseminated by the teacher.

6. The principal or designee shall provide leadership and training for teachers as to how one deals with a student who has caused or attempted to cause serious bodily injury.

7. The principal or designee shall maintain a list of:

a. Identified students.

b. When they were identified.

c. When they no longer need to be identified (three-year maximum).

d. What they were identified for.

8. A copy of this list will be submitted semiannually to the Superintendent or designee and the Assistant Superintendent of Educational Services.

- **BP/AR 5113.1: Chronic Absence and Truancy**

Students

BP 5113.1 (a)

CHRONIC ABSENCE AND TRUANCY

The Governing Board believes that excessive student absenteeism and tardiness, whether caused by excused or unexcused absences, may be an early warning sign of poor academic achievement and may put students at risk of dropping out of school. The Board desires to ensure that all students attend school in accordance with the state's compulsory education law and take full advantage of educational opportunities provided by the district.

(cf. 5113 - Absences and Excuses)

The Superintendent or designee shall establish a system to accurately track and monitor student attendance, including methods to identify students classified as chronic absentees and truants, as defined in law and administrative regulation.

To encourage school attendance, the Superintendent or designee shall develop strategies that focus on prevention and early intervention of attendance problems. Preventive strategies may include efforts to provide a safe and positive school environment, relevant and engaging learning experiences, and school activities that help develop students' feelings of connectedness with the schools. The Superintendent or designee also may provide incentives and rewards to recognize students who achieve excellent attendance or demonstrate significant improvement in attendance.

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5126 - Awards for Achievement)

(cf. 5131 - Conduct)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

The Superintendent or designee shall work with students and parents/guardians to identify factors contributing to chronic absence and truancy. Based on this needs assessment, he/she shall collaborate with community agencies, including, but not limited to, child welfare services, law enforcement, courts, and/or public health care agencies, to ensure that alternative educational programs and nutrition, health care, and other support services are available for students and families and to intervene as necessary when students have serious attendance problems.

(cf. 1020 - Youth Services)

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

(cf. 5030 - Student Wellness)

(cf. 5145.6 - School Health Services)

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

(cf. 5147 - Dropout Prevention)

(cf. 5149 - At-Risk Students)

(cf. 6158 - Independent Study)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

Students

BP 5113.1 (b)

CHRONIC ABSENCE AND TRUANCY

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.2 - Education of Children of Military Families)

(cf. 6175 - Migrant Education Program)

(cf. 6179 - Supplemental Instruction)

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

(cf. 6183 - Home and Hospital Instruction)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

As required by law, habitually truant students shall be referred to a school attendance review board (SARB), a truancy mediation program operated by the county's district attorney or probation officer, and/or a juvenile court.

The Superintendent or designee shall regularly analyze data on student absence to identify patterns of absence districtwide and by school, grade level, and student population. Such data shall be used to identify common barriers to attendance, prioritize resources for intervention, and monitor progress over time. The Superintendent or designee shall periodically report this information to the Board for purposes of evaluating the effectiveness of strategies implemented to reduce chronic absence and truancy and making changes as needed. As appropriate, the Superintendent or designee also shall provide this information to key school staff and community agency partners to engage them in program evaluation and improvement.

School Attendance Review Board

The Board shall submit nominations to the County Superintendent of Schools for a district representative on the county SARB. (Education Code 48321)

The Board shall appoint members of the district's SARB, who may include, but are not limited to, a parent/guardian as well as representatives of the district, county probation department, county welfare department, county office of education, law enforcement agencies, community-based youth service centers, school guidance personnel, child welfare and attendance personnel, and school or county health care personnel. (Education Code 48321)

The district's SARB shall operate in accordance with Education Code 48320-48325 and procedures established by the Superintendent or designee.

Legal Reference:

EDUCATION CODE

1740 Employment of personnel to supervise attendance (county superintendent)

37223 Weekend classes

41601 Reports of average daily attendance

46000 Records (attendance)

46010-46014 Absences

CHRONIC ABSENCE AND TRUANCY

46110-46119 *Attendance in kindergarten and elementary schools*
46140-46147 *Attendance in junior high and high schools*
48200-48208 *Children ages 6-18 (compulsory full-time attendance)*
48240-48246 *Supervisors of attendance*
48260-48273 *Truants*
48290-48296 *Failure to comply; complaints against parents*
48320-48325 *School attendance review boards*
48340-48341 *Improvement of student attendance*
48400-48403 *Compulsory continuation education*
49067 *Unexcused absences as cause of failing grade*
60901 *Chronic absence*
GOVERNMENT CODE
54950-54963 *The Ralph M. Brown Act*
PENAL CODE
270.1 *Chronic truancy; parent/guardian misdemeanor*
272 *Parent/guardian duty to supervise and control minor child; criminal liability for truancy*
830.1 *Peace officers*
VEHICLE CODE
13202.7 *Driving privileges; minors; suspension or delay for habitual truancy*
WELFARE AND INSTITUTIONS CODE
601-601.4 *Habitually truant minors*
11253.5 *Compulsory school attendance*
CODE OF REGULATIONS, TITLE 5
306 *Explanation of absence*
420-421 *Record of verification of absence due to illness and other causes*

Management Resources:

CSBA PUBLICATIONS
Improving Student Achievement by Addressing Chronic Absence, Policy Brief, December 2010
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
School Attendance Review Board Handbook, 2009
School Attendance Improvement Handbook, 2000
WEB SITES
CSBA: <http://www.csba.org>
Attendance Counts: <http://www.attendancecounts.org>
California Association of Supervisors of Child Welfare and Attendance: <http://www.cascwa.org>
California Department of Education: <http://www.cde.ca.gov>

CHRONIC ABSENCE AND TRUANCY

Definitions

Chronic absentee means a student who is absent for any reason on 10 percent or more of the school days in the school year, when the total number of days the student is absent is divided by the total number of days the student is enrolled and school was actually taught in the regular day schools of the district, exclusive of Saturdays and Sundays.

Truant means a student who is absent from school without a valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. (Education Code 48260)

Habitual truant means a student who has been reported as a truant three or more times within the same school year, provided the district has made a conscientious effort to hold at least one conference with the student and his/her parent/guardian. (Education Code 48262, 48264.5)

Chronic truant means a student who has been absent from school without a valid excuse for 10 percent or more of the school days in one school year, from the date of enrollment to the current date, provided the district has met the requirements of Education Code 48260-48263 and 48291. (Education Code 48263.6)

Attendance Supervisor(s)

The Superintendent or designee shall appoint or contract with a supervisor of attendance and assistant supervisors as necessary to supervise the attendance of district students. Such supervisors shall perform duties related to compulsory full-time education, truancy, compulsory continuation education, work permits, and any additional duties prescribed by the Superintendent. (Education Code 48240, 48243, 48244)

(cf. 5113 - Absences and Excuses)

(cf. 5113.2 - Work Permits)

Addressing Chronic Absence

When a student is identified as a chronic absentee, the attendance supervisor shall communicate with the student and his/her parent/guardian to determine the reason(s) for the excessive absences, ensure the student and parent/guardian are aware of the adverse consequences of poor attendance, and jointly develop a plan for improving the student's school attendance.

(cf. 6020 - Parent Involvement)

CHRONIC ABSENCE AND TRUANCY

The student may be referred to a student success team or school-site attendance review team to assist in evaluating the student's needs and identifying strategies and programs that may assist him/her.

(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 5147 - Dropout Prevention)
(cf. 5149 - At-Risk Students)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6164.5 - Student Success Teams)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6175 - Migrant Education Program)

A student who is struggling academically may be offered tutoring or other supplemental instruction, extended learning opportunities, and/or alternative educational options as appropriate.

(cf. 6158 - Independent Study)
(cf. 6176 - Weekend/Saturday Classes)
(cf. 6178.1 - Work Experience Education)
(cf. 6179 - Supplemental Instruction)
(cf. 6181 - Alternative Schools/Programs of Choice)
(cf. 6183 - Home and Hospital Instruction)
(cf. 6184 - Continuation Education)

Whenever chronic absenteeism is linked to a nonschool condition, the attendance supervisor may recommend community resources and/or collaborate with community agencies and organizations to address the needs of the student and his/her family.

(cf. 1020 - Youth Services)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 5145.6 - School Health Services)

Addressing Truancy

An attendance supervisor or designee, peace officer, probation officer, or school administrator or designee may arrest or assume temporary custody, during school hours, of any minor student found away from his/her home who is absent from school without a valid excuse. Any person arresting or assuming temporary custody of a minor student shall deliver the student and make reports in accordance with Education Code 48265 and 48266. (Education Code 48264, 48265, 48266)

(cf. 3515.3 - District Police/Security Department)

CHRONIC ABSENCE AND TRUANCY

The attendance supervisor shall investigate a complaint from any person that a parent/guardian has violated the state compulsory education laws contained in Education Code 48200-48341. (Education Code 48290)

When a student has been identified as a truant, as defined above, the following steps shall be implemented based on the number of trancies he/she has committed:

1. Initial truancy
 - a. A student who is initially classified as truant shall be reported to the attendance supervisor. (Education Code 48260)
 - b. The student's parent/guardian shall be notified by the most cost-effective method possible, which may include email or a telephone call, that: (Education Code 48260.5)
 - (1) The student is truant.
 - (2) The parent/guardian is obligated to compel the student to attend school. If the parent/guardian fails to meet this obligation, he/she may be guilty of an infraction of the law and subject to prosecution pursuant to Education Code 48290-48296.
 - (3) Alternative educational programs are available in the district.
 - (4) The parent/guardian has the right to meet with appropriate school personnel to discuss solutions to the student's truancy.
 - (5) The student may be subject to arrest or held in temporary custody by a probation officer, a peace officer, a school administrator or attendance supervisor or his/her designee under Education Code 48264 if found away from home and absent from school without a valid excuse.
 - (6) The student may be subject to suspension, restriction, or delay of his/her driving privilege pursuant to Vehicle Code 13202.7.
 - (7) It is recommended that the parent/guardian accompany the student to school and attend classes with the student for one day.

(cf. 5145.6 - Parental Notifications)

- c. The student may be required to attend makeup classes on one day of a weekend

pursuant to Education Code 37223. (Education Code 48264.5)

Students

AR 5113.1 (d)

CHRONIC ABSENCE AND TRUANCY

- d. The student may be given a written warning by a peace officer. A record of this warning may be kept at school for not less than two years or until the student graduates or transfers from the school. If the student transfers, the record may be forwarded to the new school. (Education Code 48264.5)

(cf. 5125 - Student Records)

- e. The attendance supervisor may notify the district attorney and/or probation officer of the name of each student who has been classified as a truant and the name and address of the student's parents/guardians. (Education Code 48260.6)

2. Second truancy

- a. Any student who has once been reported as a truant shall again be reported to the attendance supervisor as a truant if he/she is absent from school without valid excuse one or more days or is tardy on one or more days. (Education Code 48261)
- b. The student may be required to attend makeup classes on one day of a weekend pursuant to Education Code 37223. (Education Code 48264.5)
- c. The student may be assigned to an after-school or weekend study program within the county. If the student fails to successfully complete this study program, he/she shall be subject to item #3 below. (Education Code 48264.5)
- d. An appropriate district staff member shall make a conscientious effort to hold at least one conference with the student and parent/guardian by communicating with the parent/guardian at least once using the most cost-effective method possible, which may include email or a telephone call. (Education Code 48262)
- e. The attendance supervisor may notify the district attorney and/or probation officer whether the student continues to be classified as a truant after the parents/guardians have been notified in accordance with item #1b above. (Education Code 48260.6)

3. Third truancy (habitual truancy)

- a. A student who is habitually truant, irregular in school attendance, or habitually insubordinate or disorderly during attendance at school may be referred to, and required to attend, a school attendance review board (SARB) program, a truancy mediation program established by the district attorney or the probation officer, or a comparable program deemed acceptable by the district's attendance supervisor. (Education Code 48263, 48264.5)

CHRONIC ABSENCE AND TRUANCY

- b. Upon making a referral to the SARB or the probation department, the attendance supervisor shall provide the student and parent/guardian, in writing, the name and address of the SARB or probation department and the reason for the referral. This notice shall indicate that the student and parent/guardian shall be required, along with the district staff person making the referral, to meet with the SARB or a probation officer to consider a proper disposition of the referral. (Education Code 48263)
 - c. If the student does not successfully complete the truancy mediation program or other similar program, he/she shall be subject to item #4 below. (Education Code 48264.5)
 - d. If the attendance supervisor determines that available community services cannot resolve the problem of the truant or insubordinate student or if the student and/or student's parents/guardians have failed to respond to the directives of the district or to services provided, the attendance supervisor may so notify the district attorney and/or the probation officer. (Education Code 48263)
4. Fourth truancy
- a. Upon his/her fourth truancy within the same school year, the student shall be within the jurisdiction of the juvenile court. (Education Code 48264.5; Welfare and Institutions Code 601)
 - b. If a student has been adjudged by the county juvenile court to be a habitual truant, the attendance supervisor shall notify the juvenile court and the student's probation or parole officer whenever the student is truant or tardy on one or more days without a valid excuse in the same or succeeding school year, or is habitually insubordinate or disorderly at school. The juvenile court and probation or parole officer shall be notified within 10 days of the violation. (Education Code 48267)
5. Absence for 10 percent of school days (chronic truancy)
- a. The attendance supervisor shall ensure that the student's parents/guardians are offered language-accessible support services to address the student's truancy.
 - b. If a chronically truant student is at least age 6 years and is in any of grades K-8, the attendance supervisor shall notify the parents/guardians that failure to reasonably supervise and encourage the student's school attendance may result in the parent/guardian being found guilty of a misdemeanor pursuant to Penal Code 270.1.

Students**AR 5113.1 (f)****CHRONIC ABSENCE AND TRUANCY****Records**

The Superintendent or designee shall maintain accurate attendance records for students identified as habitual or chronic truants. The Superintendent or designee also shall document all contacts with a student and his/her parent/guardian regarding the student's attendance, including a summary of all conversations and a record of all intervention efforts.

The Superintendent or designee shall gather and transmit to the County Superintendent of Schools the number and types of referrals made to the SARB and of requests for petitions made to the juvenile court. (Education Code 48273)

• **BP/AR 5131: Conduct**

Students

BP 5131 (a)

CONDUCT

The Governing Board believes that all students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, going to or coming from school, at school activities, or using district transportation.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131.1 - Bus Conduct)

(cf. 5137 - Positive School Climate)

(cf. 6145.2 - Athletic Competition)

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

Prohibited student conduct includes, but is not limited to:

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5142 - Safety)

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

(cf. 5131.2 – Bullying)

(cf. 5145.3 – Nondiscrimination /Harassment)

(cf. 5145.7 – Sexual Harassment)

(cf. 5145.9 – Hate-Motivated Behavior)

3. Conduct that disrupts the orderly classroom or school environment

(cf. 5131.4 - Student Disturbances)

4. Willful defiance of staff's authority

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

(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 5131.5 - Vandalism and Graffiti)

CONDUCT

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

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

(cf. 5145.2 - Freedom of Speech/Expression)

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

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

(cf. 5131.63 - Steroids)

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

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

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

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

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

10. Plagiarism or dishonesty on school work or tests

(cf. 5131.9 - Academic Honesty)

(cf. 6162.54 - Test Integrity/Test Preparation)

(cf. 6162.6 - Use of Copyrighted Materials)

11. Inappropriate attire

(cf. 5132 - Dress and Grooming)

12. Tardiness or unexcused absence from school

CONDUCT

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

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

(cf. 5112.5 - Open/Closed Campus)

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

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

(cf. 5145.12 - Search and Seizure)

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

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

(cf. 1020 - Youth Services)

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

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5127 - Graduation Ceremonies and Activities)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

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

(cf. 6020 - Parent Involvement)

(cf. 6145 - Extracurricular and Cocurricular Activities)

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

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

CONDUCT

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

*Legal Reference:**EDUCATION CODE**200-262.4 Prohibition of discrimination**32280-32289 Comprehensive safety plan**35181 Governing board authority to set policy on responsibilities of students**35291-35291.5 Rules**44807 Duty concerning conduct of students**48900-48925 Suspension and expulsion**51512 Prohibition against electronic listening or recording device in classroom without permission**CIVIL CODE**1714.1 Liability of parents and guardians for willful misconduct of minor**PENAL CODE**288.2 Harmful matter with intent to seduce**313 Harmful matter**417.25-417.27 Laser scope or laser pointer**647 Use of camera or other instrument to invade person's privacy; misdemeanor**653.2 Electronic communication devices, threats to safety**VEHICLE CODE**23123-23124 Prohibitions against use of electronic devices while driving**CODE OF REGULATIONS, TITLE 5**300-307 Duties of students**UNITED STATES CODE, TITLE 42**2000h-2000h6 Title IX, 1972 Education Act Amendments**COURT DECISIONS**J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094**LaVine v. Blaine School District, (2000, 9th Cir.) 257 F.3d 981**Emmett v. Kent School District No. 415, (2000) 92 F.Supp. 1088**Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675**New Jersey v. T.L.O., (1985) 469 U.S. 325**Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503**Management Resources:**CSBA PUBLICATIONS**Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011**Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010**Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**Bullying at School, 2003**WEB SITES**CSBA: <http://www.csba.org>*

CONDUCT

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

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Policy adopted: January 18, 1995 Lancaster, California

Policy revised: February 1, 1995; March 1, 2000; November 13, 2002; June 18, 2008;
September 5, 2012

- **BP/AR 5131.2: Bullying**

Students

BP 5131.2 (a)

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 individual or group shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, retaliate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

(cf. 5131 - Conduct)

(cf. 5136 - Gangs)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Cyberbullying includes the creation or 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 addressing bullying in district schools shall be developed with involvement of key stakeholders, including students, parents/guardians, and staff, and may be incorporated into the comprehensive safety plan the local control and accountability plan, and other applicable district and school plans.

(cf. 0420 - School Plans/Site Councils)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 6020 - Parent Involvement)

Bullying Prevention

To the extent possible, district schools shall focus on the prevention of bullying by establishing clear rules for student conduct and implementing strategies to promote 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 engaging in bullying.

(cf. 5137 - Positive School Climate)

Students

BP 5131.2 (b)

BULLYING

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

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

Staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective response.

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

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

Intervention

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

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

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

(cf. 6164.2 - Guidance/Counseling Services)

BULLYING**Complaints and Investigation**

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5145.7 - Sexual Harassment.

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

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

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

Any complaint of bullying, whether it is discriminatory or nondiscriminatory, shall be investigated and resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee. Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. Within two business days of receiving a report of bullying, the principal shall notify a district compliance officer identified in AR 1312.3. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report his/her observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages 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

BULLYING

student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

When a report of bullying is submitted, the principal or designee, or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

Discipline

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, 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)

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

(cf. 4117.3 - Dismissal)

(cf. 4118 - Suspension/Disciplinary Action)

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

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

Legal Reference:**EDUCATION CODE**

200-262.4 Prohibition of discrimination

32282 Comprehensive safety plan

32283.5 Bullying; online training

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

48900-48925 Suspension or expulsion

48985 Translation of notices

52060-52077 Local control and accountability plan

PENAL CODE

422.55 Definition of hate crime

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

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

653.2 Electronic communication devices, threats to safety

BULLYING

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

110.25 Notification of nondiscrimination on the basis of age

COURT DECISIONS

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

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

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

Management Resources:

CSBA PUBLICATIONS

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

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014 Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012

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

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

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

Bullying at School, 2003

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

Dear Colleague Letter: Bullying of Students with Disabilities, August 2013

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

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

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

Common Sense Media: <http://www.common sense media.org>

ON[the]LINE, digital citizenship resources: <http://www.onthelineca.org>

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

U.S. Department of Education

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Policy adopted: September 5, 2012

Lancaster, California

Policy revised: February 4, 2015

- **BP/AR 5132: Dress and Grooming**

Students

BP 5132(a)

DRESS AND GROOMING

The Board of Trustees believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students have the right to make individual choices from a wide range of clothing and grooming styles, but they 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)

The Board considers application of this policy to be a site administrative responsibility within the jurisdiction of the principal. Details and specific rules which apply shall be an administrative decision. In developing standards of student dress, the administration shall consider the effect that wearing apparel may have on students' attitude toward learning and the effect certain apparel may have on other students.

Students and parents/guardians shall be informed about the school dress code at the beginning of the year and when revised. A student who violates the dress code shall be subject to appropriate disciplinary action.

(cf. 5144 - Discipline)

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

The Board has determined that gangs constitute a danger to students, and the Superintendent or designee shall restrict student dress and grooming as necessary to comply with Board Policy 5136 related to gang activity.

Uniforms

The Board recognizes that, in order to promote student safety and discourage theft, peer rivalry, and/or gang activity, the principal, staff, and parents/guardians at a district school may wish to establish a reasonable dress code requiring students to wear uniforms. 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 such dress codes when it determines they are necessary for the health and safety of the school's students.

DRESS AND GROOMING

The Superintendent or designee shall establish procedures whereby parents/guardians may choose to have their children not comply with an adopted school uniform policy. Students shall not be penalized academically, otherwise discriminated against, or denied attendance to school if their parents/guardians so decide.

School plans requiring students to wear uniforms shall identify a source of funding available for the purchase of uniforms by economically disadvantaged students.

In schools where a schoolwide uniform is required, the principal, staff, and parents/guardians of the individual school shall jointly select the specific uniform to be worn.

The principal or designee shall give parents/guardians at least six months' notice before a school uniform policy is implemented.

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

Legal Reference:

EDUCATION CODE

35183 School dress codes; uniforms

35183.5 Sun-protective clothing

35294.1 School safety plans

48907 Student exercise of free expression

49066 grades; effect of physical education class apparel

CODE OF REGULATIONS, TITLE 5

302 Pupils to be neat and clean on entering school

COURT DECISIONS

Marvin H. Jeglin, et al., v. San Jacinto Unified School District, et al. (C.D. Cal. 1993) 827 F.Supp. 1459

Arcadia Unified School District v. State Department of Education, 92 Daily Journal, D.A.R. 3578

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

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Policy adopted: November 13, 1990

Lancaster, California

Policy revised: October 5, 1994

Technical revision: January 28, 2002

• **BP 5136: Gangs**

Students BP 5136(a)

GANGS

The Board of Trustees desires to provide safe schools for all students and staff in the district. The Board, therefore, views with extreme concern any act of violence, intimidation, disruption of the orderly operation of the school, activities inciting others and the commission of any unlawful acts on school campuses and at school activities. Therefore, any individual student and/or any group of students acting in concert or as a gang found in violation of Board policy, administrative regulations, school rules or state law are to be recommended to the Board for suspension/expulsion. School personnel shall exchange information and establish mutually supportive efforts with local law enforcement authorities.

The administration is to be sensitive to the early manifestations of such activities including, but not limited to, the presence of insignias, apparel and verbal, nonverbal and written symbols.

The Superintendent or designee shall provide in-service training which helps staff to identify gangs and gang symbols, recognize early manifestations of disruptive activities, and respond appropriately to gang behavior. Staff shall be informed about conflict management techniques and alerted to intervention measures and community resources.

Any individual student manifesting gang behavior or acting in an organized manner to disrupt the activities of the school will be subject to disciplinary action by the school principal or designee.

Interventions

The school administration is to be sensitive to the presence of gang activities and take the steps necessary to provide safe campuses. Among these are:

1. Identification of the leaders and members.
2. Regular meetings are to be held with local law enforcement agencies and other agencies to ascertain the presence of such groups in the community and the potential for school disruptions or events.
3. Regular in-service programs for staff members.

To further discourage the influence of gangs, the Superintendent or designee shall ensure that school rules of conduct and any school dress code prohibiting gang-related apparel are enforced consistently during school hours and at school activities. If a student exhibits signs of gang affiliation, staff shall so inform the parent/guardian.

Under the California Constitution, students have the inalienable right to attend schools which are safe, secure and peaceful. The Board subscribes to the philosophy that students should be provided with a quality education in a safe, secure and peaceful environment. The Board has determined and Students
BP 5136(b)

GANGS

finds that the presence of any gang-related jewelry, insignia, colors, paraphernalia, apparel, clothing and attire on school campuses and at school activities results in disruption of or material interference with institutional and other activities and so incites students as to create a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations, or the disruption of the orderly operation of the school. Specifically, the Board finds that it is necessary to establish a dress and grooming policy designed to regulate the wearing of or display of clothing, attire, jewelry, apparel, insignia, colors, paraphernalia or materials that evidence membership in or affiliation with any gang; which are obscene, sexually explicit or suggestive; which promote the use/abuse of drugs and/or alcohol; which pose a threat to the physical well-being and safety of students or are likely to cause others to be intimidated by fear of violence; or which so incite students as to create a clear and present danger of the commission of unlawful acts on school premises or at school activities, or the violation of law or lawful school regulations, or the disruption of or material interference with the orderly operation of the school or school-sponsored activities.

Legal Reference:

EDUCATION CODE

32230-32239 School Violence Reduction Program

35183 Gang-related apparel

35294.1 School safety plans

48907 Student exercise of free expression

51264 Educational in-service training; CDE guidelines

51265 Gang violence and drug and alcohol abuse prevention inservice training

51266-51266.5 Model gang and substance abuse prevention curriculum

58730-58736 Gang Intervention Programs

58750-58755 Extended school-day activities and violence reduction act

PENAL CODE

186.22 Participation in criminal street gang

13826-13826.7 Gang violence suppression

UNITED STATES CODE, TITLE 20

7101-7143 Safe and Drug-Free Schools and Communities Act of 1994

Management Resources:

CDE PUBLICATIONS

On Alert: Gang Prevention in School and In-service Guidelines, January 1994

CSBA PUBLICATIONS

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

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT
Policy adopted: November 13, 1990 Lancaster, California
Policy revised: March 2, 1994, November 17, 1999

Student

AR 5136(a)

GANGS

Student Dress and Appearance

In recognition of the district instructional responsibilities and goals, the district hereby adopts the following regulations relative to the dress and appearance of the students:

1. Pants oversized at the waist are not allowed. These can be identified as pants that are folded in at the waist or belt line (e.g. students with a 32" waist should wear pants no larger than 32" waist.)
2. Wearing pants below the waist line (sagging) is not allowed
3. No gang-related jewelry, insignia, colors, paraphernalia, materials, apparel, clothing or attire may be worn or carried on campus or at school activities.
4. Belt buckles with any initials are prohibited.
5. Wearing an over-sized belt with one end hanging down is prohibited.
6. Excessive color identities worn in the color of red and/or purple, blue and/or green, black and/or gray, or orange (in combination with other gang attire) are prohibited.
7. No gang-related hats, baseball-type caps or other gang-related head gear may be worn on campus or at school activities. Official school cap (i.e., approved by the principal) representing the current school of residence may be worn.
8. Bandannas, red or blue belts, red or blue shoelaces, or rags that commonly signify gang identity by style or color are prohibited.
9. Clothing, jewelry, paraphernalia or material which is obscene, sexually explicit or which depicts or suggests sexually-related or obscene gestures, pictures or wording or which promotes violence, the use/abuse of drugs, tobacco or alcohol may not be worn or carried on campus or at school activities.
10. Shorts extending below the knee when worn with over-the-calf socks are prohibited. No pants can be worn with one leg up and one down.
11. No student may wear articles of clothing jewelry, paraphernalia or accessories which pose a threat to the physical and/or emotional well-being and safety of the student or others on campus or at school activities.

12. Shirts buttoned at the top and unbuttoned at the bottom are prohibited.

Student

AR 5136(b)

GANGS

13. Steel-toe combat style boots are prohibited.
14. Gang or tagger-crew writing on shoes, clothes or body, backpacks or accessories are not permitted
15. Sports jerseys, other than school jerseys, will not be allowed.
16. Clothing or articles of clothing (including, but not limited to gloves, bandannas, shoestrings, wristbands, jewelry) which are likely to provoke others to acts of violence or which are likely to cause others to be intimidated by fear of violence may not be worn on campus or at any school activity.
17. The principal or principal's designee shall enforce the Student Dress and Appearance Policy.
18. For the purpose of implementing consistent school enforcement, the principal will regularly communicate to all staff examples of gang-related clothing, apparel, attire, jewelry, insignias, colors, paraphernalia and materials which are currently unacceptable. All staff members will be expected to follow appropriate school procedures to refer students suspected of violating this regulation to the principal or designee.
19. Gang-related clothing, apparel, attire, jewelry, insignias, colors, paraphernalia and materials may vary from school to school, and may change from year to year. Consequently, prior to disallowing the wearing or display of the aforementioned articles or things, the procedures outlined below shall be strictly adhered to by the principal or the principal's designee.
20. The principal will include the provisions of this regulation in the School Safety Plan per Education Code Sections 35294 and 35294.1.

Implementation Procedures

Recognizing that any gang-related clothing apparel, attire, jewelry, insignias, colors, paraphernalia and materials (e.g., sagging pants) may vary from school to school and may change from year to year, prior to disallowing the wearing or display of clothing, apparel, jewelry, accessories, materials and other items prohibited under the Student Dress and Appearance Policy, the following procedures shall be strictly adhered to:

1. At the beginning of each school year or upon enrollment, the parent/guardian of each

student shall be mailed a copy of the student dress code requirements as described in AR 5132 and AR 5136.

Student

AR 5136(c)

GANGS

2. The student dress code regulations and implementation procedures shall also be posted at each school site.
3. Minimum penalties for Dress Code violations involving gang-related dress shall be the same as those described for Dress Code violations in Administrative Regulation 5132.

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT
Regulation approved: November 13, 1990
Lancaster, California

Regulation revised: November 29, 2000, March 17, 2004

- **BP/AR 5141.4: Child Abuse Reporting Procedures**

Students

BP 5141.4(a)

CHILD ABUSE REPORTING PROCEDURES

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

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 54650 Filing complaints with CDE, special education students

Students

BP 5141.4(b)

CHILD ABUSE REPORTING PROCEDURES

Management Resources:

CDE LEGAL ADVISORIES

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

WEB SITES

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

School/Law Enforcement Partnership: <http://www.cde.ca.gov/spbranch/safety/partnership.html>

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>

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Policy adopted: November 13, 1990

Lancaster, California

Policy revised: June 27, 2001; September 18, 2002

CHILD ABUSE REPORTING PROCEDURES

Definitions

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

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Sexual abuse of a child as defined in Penal Code 11165.1.
3. Neglect as defined in Penal Code 11165.2.
4. Willful cruelty or unjustifiable punishment of a child as defined in Penal Code 11165.3.
5. Unlawful corporal punishment or injury resulting in a traumatic condition as defined in Penal Code 11165.4.

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. The exercise by a teacher, vice principal, principal or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning. (Education Code 44807)
4. An amount of force that is reasonable and necessary for a school employee to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of the 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 pupil personnel employees; administrative officers

CHILD ABUSE REPORTING PROCEDURES

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)

(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)

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)

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)

CHILD ABUSE REPORTING PROCEDURES

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)*

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)*

The appropriate telephone contact for our District is:

Children & Family Services Department Child Abuse Hotline (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 either the district, the principal's office, the guidance office or 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;

CHILD ABUSE REPORTING PROCEDURES

- 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; and
- 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

Employees reporting child abuse or neglect to the appropriate agency are encouraged, but not required, to notify the principal or designee as soon as possible after the initial telephone report to an appropriate agency.

The principal or designee so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Governing Board policy and administrative regulation.

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

He/she may provide or mail a copy of the written report to the principal, Superintendent or designee without his/her signature or name.

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

Training

Training of mandated reporters shall include child abuse identification and reporting. All employees receiving such training shall receive written notice of state reporting requirements and employees' confidentiality rights. (Penal Code 11165.7)

CHILD ABUSE REPORTING PROCEDURES

Training shall also include guidance in the appropriate discipline of students, physical contact with students, and maintenance of ethical relationships with students to avoid actions that may be misinterpreted as child abuse.

(cf. 5144 - Discipline)

(cf. 5145.7 - Sexual Harassment)

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*)

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

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

Release of Child to Peace Officer

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the Superintendent or designee and/or principal shall not notify the parent/guardian 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.

CHILD ABUSE REPORTING PROCEDURES

(cf. 5145.11 - Questioning and Apprehension)

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)

Notifications

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

(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.

CHILD ABUSE REPORTING PROCEDURES

The Superintendent or designee shall also notify all employees that:

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

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Regulation approved: November 14, 1990

Lancaster, California

Regulation revised: June 27, 2001; September 18, 2002

Technical revision: May 1, 2002

- **BP/AR 5145.12: Search and Seizure**

Students

BP 5145.12(a)

SEARCH AND SEIZURE

As necessary to protect the health, safety and welfare of students and staff, school officials may search students, their property and/or district property under their control, and may seize illegal, unsafe and prohibited items. The Governing Board requires that discretion, good judgment and common sense be exercised in all cases of search and seizure.

Individual Searches

School officials may search individual students, their property and district property under their control, when there is a reasonable suspicion that the search will uncover evidence that the student is violating the law, Board policy, administrative regulation, or other rules of the district or the school.

Employees shall not conduct strip searches or body cavity searches of any student. (*Education Code 49050*)

Searches of individual students shall be conducted in the presence of at least two district employees.

The principal or designee shall notify the parent/guardian of a student subjected to an individualized search as soon as possible after the search.

(*cf. 5145.11 - Questioning and Apprehension*)

Student Lockers/Desks

The principal or designee may conduct a general inspection of school properties that are within the control of students, such as lockers and desks, on a regular, announced basis, with students standing by their assigned lockers or desks. Any items contained in a locker or desk shall be considered to be the property of the student to whom the locker or desk was assigned.

Because lockers and desks are under the joint control of the student and the district, school officials shall have the right and ability to open and inspect any school locker or desk without student permission or prior notice when they have reasonable suspicion that the search will uncover evidence of illegal possessions or activities or when odors, smoke, fire and/or other threats to health, welfare or safety emanate from the locker or desk.

Use of Metal Detectors

The Board believes that the presence of weapons in the schools threatens the district's ability to provide the safe and orderly learning environment to which district students and staff are entitled. The Board also believes that metal detector searches offer a reasonable means to keep weapons out of the schools and mitigate the fears of students and staff. The Superintendent or designee

shall establish procedures that ensure that metal detector searches are conducted in a consistent manner that precludes arbitrary and capricious enforcement by school officials.

SEARCH AND SEIZURE

The Superintendent or designee shall establish procedures that ensure that metal detector searches are conducted in a consistent manner that precludes arbitrary and capricious enforcement by school officials.

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131.7 - Weapons and Dangerous Instruments)

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

Use of Drug-Detection Dogs

In an effort to keep the schools free of drugs, the district may use specially trained non-aggressive dogs to sniff out and alert staff to the presence of substances prohibited by law or Board policy. The dogs may sniff the air around lockers, desks, or vehicles on district property or at district-sponsored events as long as they are not allowed to sniff within the close proximity of any students.

(cf. 5131.6 - Alcohol and Other Drugs)

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

35160.1 Broad authority of school districts

35294-35294.9 School safety plans

49050-49051 Searches by school employees

49330-49334 Injurious objects

PENAL CODE

626.9 Firearms

626.10 Dirks, daggers, knives or razor; bringing into or possession of upon or within public school ground; exception

COURT DECISIONS

B.C. v. Plumas, (9th Cir. 1999) 192 F.3d 1260

O'Connor v. Ortega, (1987) 107 S.Ct. 1492

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

Horton v. Goose Creek Independent School District, (5th Cir. 1982) 690 F.2d 470

Zamora v. Pomeroy, (10th Cir. 1981) 639 F.2d 662

ATTORNEY GENERAL OPINIONS

83 Ops.Cal.Atty.Gen. 257 (2000)

75 Ops.Cal.Atty.Gen. 155 (1992)

Management Resources:

WEB SITES

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

CDE, Safe Schools and Violence Prevention Office: <http://www.cde.ca.gov/spbranch/safety>

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Policy adopted: November 13, 1990

Lancaster, California

Policy revised: April 6, 1994; March 1, 2000; August 22, 2001

SEARCH AND SEIZURE

Use of Metal Detectors

The following procedures shall be followed when making metal detector scans:

1. Before walk-through, students shall be asked to empty their pockets of metallic objects.
2. If an initial activation occurs, students shall be asked to remove other metallic objects they may be wearing (e.g., belt and jewelry) before a second scan.
3. If the activation is not eliminated or explained, staff shall escort the student to a private area.
4. In the private area, an expanded search shall be conducted by a staff member of the same gender as the student, in the presence of another district employee.
5. The search shall be limited to the detection of weapons.

Use of Drug-Detection Dogs

Drug-detection dogs shall not be used in rooms occupied by persons except for demonstration purposes, with the handler present. When used for demonstration purposes, the dog shall be separated from the students and not allowed to sniff any individual.

Only the dog's official handler shall determine what constitutes an alert by the dog. If the dog alerts on a particular item or place, the student having the use of that item or place, or responsibility for it, shall be called to witness the search. If a dog alerts on a locked vehicle, the student who brought the vehicle onto district property shall be asked to unlock it for inspection.

(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

Notifications

At the beginning of each school year, or upon enrollment, the Superintendent or designee shall inform students and parents/guardians of the possibility of random searches of students, their belongings and district properties under their control.

SEARCH AND SEIZURE

At the beginning of each school year, or upon enrollment, students and parents/guardians shall receive notice that the district uses metal detector scans as part of its program to promote safety and deter the presence of weapons. Signs shall be posted at all schools at which metal detectors are to be used to explain that anyone may be scanned by metal detector for guns, knives or other illegal weapons when on campus or attending athletic or extracurricular events.

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Regulation approved: November 13, 1990

Lancaster, California

Regulation revised: April 6, 1994; March 1, 2000; August 22, 2001

• **BP/AR 5145.7: Sexual Harassment**

Students

BP 5145.7 (a)

SEXUAL HARASSMENT

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

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

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

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

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

(cf. 1312.3 - Uniform Complaint Procedures)

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

Instruction/Information

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance

SEXUAL HARASSMENT

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

Disciplinary Actions

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

(cf. 5144 - Discipline)

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

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

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

(cf. 4117.4 - Dismissal)

(cf. 4117.7 - Employment Status Report)

(cf. 4118 - Suspension/Disciplinary Action)

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

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

Record-Keeping

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

(cf. 3580 - District Records)

SEXUAL HARASSMENT

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

CIVIL CODE

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

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

12950.1 Sexual harassment training

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX, discrimination

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

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

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

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

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

COURT DECISIONS

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

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

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

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

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

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

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

Management Resources:

CSBA PUBLICATIONS

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

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

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

Questions and Answers on Title IX and Sexual Violence, April 2014

Dear Colleague Letter: Sexual Violence, April 4, 2011

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

SEXUAL HARASSMENT

WEB SITES

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

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

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

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Policy adopted: November 13, 1990

Lancaster, California

Policy revised: March 3, 1993; September 15, 1999; February 6, 2002; January 16, 2013;
April 1, 2015

SEXUAL HARASSMENT

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 and California Education Code 234.1, as well as to investigate and resolve sexual harassment complaints under AR 1312.3 - Uniform Complaint Procedures. The coordinator/compliance officer(s) may be contacted at:

Director of Student Services
Antelope Valley Union High School District Office
548 W. Lancaster Blvd., #102
Lancaster, California 93534-2571
(661) 729-2321

(cf. 1312.3 - Uniform Complaint Procedures)

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

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

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

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions

SEXUAL HARASSMENT

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

Reporting Process and Complaint Investigation and Resolution

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

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

(cf. 5141.4 - Child Abuse Prevention and Reporting)

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

Students

AR 5145.7 (c)

SEXUAL HARASSMENT

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

Confidentiality

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

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

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

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

Response Pending Investigation

When an incident of sexual harassment is reported, the principal or designee, in consultation with the compliance officer, shall determine whether interim measures are necessary pending the results of the investigation. The principal/designee or compliance officer shall take immediate measures necessary to stop the harassment and protect students and/or ensure their access to the educational program. Such measures may include placing the individuals involved in separate classes or transferring a student to a class taught by a different teacher, in accordance with law and Board policy. The school should notify the individual who was harassed of his/her options to avoid contact with the alleged harasser and allow the complainant to change academic and extracurricular arrangements as appropriate. The school should also ensure that the complainant is aware of the resources and assistance, such as counseling, that are available to him/her. As appropriate, such actions shall be considered even when a student chooses to not file a formal complaint or the sexual harassment occurs off school grounds or outside school-sponsored or school-related programs or activities.

Notifications

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

Students

AR 5145.7 (d)

SEXUAL HARASSMENT

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

(cf. 5145.6 - Parental Notifications)

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

(cf. 1113 - District and School Web Sites)

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

Regulation revised: September 15, 1999; February 6, 2002; January 19, 2005; January 16, 2013; April 1, 2015

• **BP/AR 5145.9 Hate Motivated Behavior**

Students

BP 5145.9(a)

HATE-MOTIVATED BEHAVIOR

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

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515.1 - Crime Data Reporting)

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

(cf. 5131.5 - Vandalism, Theft and Graffiti)

(cf. 5136 - Gangs)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 6141.6 - Multicultural Education)

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

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

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

(cf. 3515.3 - District Police Department)

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

(cf. 5144 - Discipline)

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

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

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

(cf. 6164.2 - Guidance/Counseling Services)

Students

BP 5145.9(b)

HATE-MOTIVATED BEHAVIOR

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

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

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

At the beginning of each school year, students and staff shall receive a copy of the District's policy on hate-motivated behavior.

Legal Reference:

EDUCATION CODE

200-262 *Prohibition of discrimination on the basis of sex*

48900.3 *Suspension for hate violence*

PENAL CODE

186.21 *Street terrorism; legislative findings and declarations*

422.6-422.95 *Civil Rights*

11410-11414 *Terrorism*

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

13519.6 *Hate crimes, training courses and guidelines*

UNITED STATES CODE, TITLE 18

245 *Federally protected activities*

Management Resources:

CSBA PUBLICATIONS

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

ALAMEDA OFFICE OF EDUCATION & CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

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

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

WEB SITES

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

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

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

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Policy Adopted: October 6, 1999
Technical revision: January 28, 2002

Lancaster, California

- **BP 6116: Classroom Interruptions**

Instruction

BP 6116 (a)

CLASSROOM INTERRUPTIONS

The Board of Trustees recognizes the importance of providing students with sustained, uninterrupted instruction. Allowing interruptions during class time implies to students that what is occurring in the classroom lacks value. Therefore, interruptions and distractions must be controlled and avoided to ensure that teachers can dedicate classroom time to the instruction of students.

Legal Reference:

EDUCATION CODE

32212 Classroom interruptions

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Policy adopted: November 13, 1990

Lancaster, California

CLASSROOM INTERRUPTIONS

1. The Superintendent or designee shall require the school principal to limit office summons and the use of student messengers to a brief, specified period of time during the school day. Messages should be briefly and clearly stated in order to reduce the amount of time devoted to non-instructional activities.
2. Announcements that are only pertinent to teachers should be put in writing.
3. Teachers should be notified in advance of all programming that takes students away from regular classroom instruction.
4. To avoid unplanned entrances to classrooms, visitors should be encouraged to make appointments.
5. Whenever possible, school maintenance and housekeeping activities should be scheduled before or after school hours.
6. The principal or designee is authorized to make on-site decisions in matters of emergency or urgency that require classroom interruptions.

• **BP/AR 6142.2: Recognition of Religious Beliefs and Customs**

Instruction

BP 6142.2(a)

AIDS PREVENTION INSTRUCTION

The Governing Board recognizes that Human Immunodeficiency Virus (HIV) infection and Acquired Immune Deficiency Syndrome (AIDS) pose a public health crisis and that education is a necessary component for helping to slow the spread of this disease.

(cf. 5141.22 - Infectious Diseases)
(cf. 5141.23 - Infectious Disease Prevention)

The District's HIV/AIDS prevention curriculum shall be part of a comprehensive health education program that teaches acceptance of personal responsibility and emphasizes decisions that promote health.

(cf. 6142.8 - Comprehensive Health Education)

HIV/AIDS prevention instruction shall be focused on giving students the knowledge, skills, and motivation to avoid or reduce high-risk behavior that may lead to HIV infection.

Staff members or others who present HIV/AIDS prevention instruction shall be adequately trained and have periodic inservice opportunities to remain knowledgeable of new prevention education techniques and new developments in the scientific understanding of HIV/AIDS.

Other staff members and parents/guardians also shall have access to HIV/AIDS information in order to reinforce universal precautions and to present consistent messages and attitudes to students.

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6142.1 - Family Life/Sex Education)

At the beginning of the school year, the Superintendent or designee shall provide the parent/guardian of each student with written notice, pursuant to law and administrative regulation, explaining the purpose of the AIDS prevention instruction. (Education Code 48980, 51201.5)

This notice shall specify that a parent/guardian may request that his/her child not receive instruction in AIDS prevention. (Education Code 51201.5)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall inform parents/guardians of their right to inspect all instructional materials related to HIV/AIDS instruction and shall provide opportunities for inspection of materials before they are presented to students. (Education Code 51550)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

AIDS PREVENTION INSTRUCTION

A student shall not be subject to disciplinary action, academic penalty, or other sanction if the student's parent/guardian declines to permit the student to receive AIDS prevention instruction, and the student does not receive the instruction. (Education Code 51201.5, 51554, 51555)

An alternative educational activity shall be made available to students whose parents/guardians have requested that they not receive AIDS prevention instruction. The alternative educational activity shall occur while the AIDS prevention instruction is being delivered. (Education Code 51201.5, 51554, 51555)

Legal Reference:

EDUCATION CODE

48980 Notice at beginning of term

51201.5 AIDS prevention instruction

51202 Instruction in personal and public health and safety

51203 Instruction on alcohol, narcotics and restricted dangerous drugs

51229.8 Inservice training for providers of AIDS prevention instruction

51240 Excuse from health instruction and family life and sex education due to religious beliefs

51550 Sex education courses

51553 Sex education classes: course criteria

51554 Parent notification; sex education courses

51555 Parent notification in grades K-6; sex education courses

51820 Venereal disease instruction

Management Resources:

CDE PUBLICATIONS

Health Framework for California Public Schools, 1994

CSBA PUBLICATIONS

Saving Lives: AIDS Issues for California Schools, 1994

WEB SITES

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

NSBA AIDS Education and School Health Program: <http://www.nsba.org/services/federation/hivweb.html>

Centers for Disease Control and Prevention, Division of Adolescent and School Health:
<http://www.cdc.gov/nccdphp/dash/>

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Policy adopted: November 13, 1990

Policy revised: June 7, 2000

Lancaster, California

Instruction

AR 6142.2(a)

AIDS PREVENTION INSTRUCTION

In accordance with law, HIV/AIDS prevention instruction shall be offered at least once in high school. Instruction shall be provided by trained instructors in appropriate courses and shall include: (Education Code 51201.5)

1. Information on the nature of AIDS and its effects on the human body.
2. Information on how the human immunodeficiency virus is and is not transmitted, including information on activities that present the highest risk of HIV infection.
3. Discussion of methods to reduce the risk of HIV infection, including:
 - a. Emphasis that sexual abstinence, monogamy, the avoidance of multiple sexual partners, and abstinence from intravenous drug use are the most effective means for AIDS prevention.
 - b. Statistics based upon the latest medical information citing the failure rates of condoms and other contraceptives in preventing sexually transmitted HIV infection.
 - c. Information on other methods that may reduce the risk of HIV transmission from intravenous drug use.
4. Discussion of the public health issues associated with AIDS.
5. Information on local resources for HIV testing and medical care.
6. Development of refusal skills to assist students to overcome peer pressure and use effective decision-making skills to avoid high-risk activities.
7. Discussion about societal views on AIDS, including stereotypes and myths regarding persons with AIDS. This instruction shall emphasize compassion for persons suffering from debilitating handicaps and terminal diseases, like AIDS.

HIV/AIDS prevention instruction shall accurately reflect the latest information and recommendations from the U.S. Surgeon General, federal Centers for Disease Control, and the National Academy of Sciences. (Education Code 51201.5)

HIV/AIDS instruction may not be conducted in a manner that advocates drug use, a particular sexual practice, or sexual activities. AIDS prevention instruction shall be consistent with Education Code 51553. (Education Code 51201.5)

(cf. 6142.1 - Family Life/Sex Education)

Instruction

AR 6142.2(b)

AIDS PREVENTION INSTRUCTION

The Superintendent or designee shall ensure that instructional materials related to HIV infection and AIDS prevention are available and appropriate for use with students of various learning abilities, and that these materials may be used effectively with students who have special needs and those from a variety of ethnic, cultural, and linguistic backgrounds. (Education Code 51201.5)

Parent/Guardian Notification

At the beginning of the school year, parents/guardians of students shall be notified in writing about the purposes of the AIDS prevention instruction and information stating that the parent/guardian has a right to request a copy of Education Code 51201.5 and 51553 relating to AIDS instruction. (Education Code 48980, 51201.5)

(cf. 5145.6 - Parental Notifications)

If a student enrolls in school after the beginning of the year, the parent/guardian shall receive the notice described above upon the student's enrollment. (Education Code 51201.5)

This notification shall inform parents/guardians that they may request in writing that their child not attend the class. (Education Code 51201.5)

No student shall attend AIDS prevention instruction if a written request that he/she not attend has been received by the school. (Education Code 48980, 51201.5, 51550, 51555)

The Superintendent or designee shall keep on file Education Code 51201.5 and 51553. (Education Code 51201.5)

At the beginning of the school year, or at the time of a student's enrollment, the Superintendent or designee shall notify parents/guardians of any outside organization or guest speaker brought into the District to provide instruction in family life, human sexuality, AIDS, or sexually transmitted diseases. This notification shall include the date of the instruction, the name of the organization or affiliation of each guest speaker, and information regarding the parent/guardian's right to request a copy of Education Code 51201.5 and 51553. (Education Code 51554)

If arrangements for this instruction are made after the beginning of the school year, the parents/guardians shall be notified no fewer than 10, and no more than 15, days before the instruction is delivered. (Education Code 51554)

This notification is required whether the guest speakers are brought in by the District to lecture, distribute information, show a videotape, act out, conduct an activity involving student participation, or provide audio material in either a classroom or assembly. (Education Code 51554)

• **BP/AR 6163.4: Student Use of Technology**

Instruction

BP 6163.4 (a)

STUDENT USE OF TECHNOLOGY

The Governing Board intends that technological resources provided by the district be used in a safe, responsible and proper manner in support of the instructional program and for the advancement of student learning.

(cf. 0440 - District Technology Plan)
(cf. 1113 - District and School Web Sites)
(cf. 4040 - Employee Use of Technology)
(cf. 5131 - Conduct)
(cf. 6163.1 - Library Media Centers)

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district computers, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with district regulations and the district's Acceptable Use Agreement.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process: Students with Disabilities)
(cf. 5145.12 - Search and Seizure)

The Superintendent or designee shall provide age-appropriate instruction regarding the district's Acceptable Use Agreement, including instruction on the safe use of social networking sites and other Internet services including, but not limited to, the dangers of posting personal information online, misrepresentation by online predators, and how to report inappropriate or offensive content or threats.

(cf. 6143 - Courses of Study)

The Superintendent or designee, with input from students and appropriate staff, shall regularly review this policy, the accompanying administrative regulation and other relevant procedures to help ensure that the district adapts to changing technologies and circumstances.

Use of District Computers for Online Services/Internet Access

The Superintendent or designee shall ensure that all district Internet access has technology protection measures that blocks or filters Internet access to visual depictions that are obscene, child pornography, or harmful to minors, and that the operation of such measures is enforced. (20 USC 6777, 47 USC 254)

The Board desires to protect students from access to inappropriate matter on the Internet. The Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet. He/she also shall establish regulations

STUDENT USE OF TECHNOLOGY

to address the safety and security of students and student information when using email, chat rooms, and other forms of direct electronic communication, and other social networking sites deemed appropriate.

Before using the district's technological resources, each student and his/her parent/guardian shall sign and return an Acceptable Use Agreement specifying user obligations and responsibilities. In that agreement, the student and his/her parent/guardian shall agree to not hold the district or any district staff responsible for the failure of any technology protection measures, violations of copyright restrictions, or users' mistakes or negligence. They shall also agree to indemnify and hold harmless the district and district personnel for any damages or costs incurred.

(cf. 6162.6 - Use of Copyrighted Materials)

Staff shall supervise students while they are using online services and may ask teacher aides, student aides, and volunteers to assist in this supervision.

If a disruption occurs, or a student uses any mobile communications device for improper activities, a school employee shall direct the student to turn off the device and/or shall confiscate it. If a school employee finds it necessary to confiscate a device, he/she shall return it at the end of the class period or school day.

A student who violates this policy may be prohibited from possessing a mobile communications device at school or school-related events and/or may be subject to discipline in accordance with Board policy and administrative regulation.

Use of Student Personal Technology Devices for Online Services/Internet Access

The Superintendent or designee shall ensure that all students will have the opportunity to bring their own personal technology devices for academic use. Students using their own laptops must have current anti-virus software installed before accessing district resources.

The Superintendent or designee shall ensure that all will have access to the district's electronic communications system for educational purposes. The electronic communications system is defined as the district's network, servers, computers, mobile devices, peripherals, applications, databases, online resources, Internet access, email, and any other technology designated for use by students.

It will be each student's responsibility to follow the rules for appropriate and responsible use. Access to the district's network is a privilege and administrators and faculty may review files and messages to maintain system integrity and ensure that users are acting responsibly. The district is not responsible for technology devices that are brought to school from home by students or faculty members.

Instruction

BP 6163.4 (c)

STUDENT USE OF TECHNOLOGY

Bullying/Cyber-bullying/Cyber-harassment

Harassment of students or staff, including bullying, intimidation, cyber-bullying, cyber-harassment hazing or initiation activity, ridicule, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause bodily harm or emotional suffering is prohibited.

Cyber-bullying and cyber-harassment includes the posting of harassing messages, direct threats, social cruelty, or other harmful text or images on the Internet, social networking sites, or other digital technologies, as well as breaking into another person's account and assuming that person's identity in order to damage that person's reputation or friendships.

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Legal Reference:

EDUCATION CODE

51006 Computer education and resources

51007 Programs to strengthen technological skills

51870-51874 Education technology

60044 Prohibited instructional materials

PENAL CODE

313 Harmful matter

502 Computer crimes, remedies

632 Eavesdropping on or recording confidential communications

UNITED STATES CODE, TITLE 20

6751-6777 Enhancing Education Through Technology Act, Title II, Part D, especially:

6777 Internet safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (E-rate)

CODE OF FEDERAL REGULATIONS, TITLE 16

312.1-312.12 Children's online privacy protection

CODE OF FEDERAL REGULATIONS, TITLE 47

54.520 Internet safety policy and technology protection measures, E-rate discounts

Management Resources:

CSBA PUBLICATIONS

Cyberbullying: Policy Considerations for Boards, Governance and Policy Services Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Instruction

BP 6163.4 (d)

STUDENT USE OF TECHNOLOGY

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

1223.94 Acceptable Use of Electronic Information Resources

MY SPACE.COM PUBLICATIONS

The Official School Administrator's Guide to Understanding MySpace and Resolving Social Networking Issues

WEB SITES

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

American Library Association: <http://www.ala.org>

California Coalition for Children's Internet Safety: <http://www.ybersafety.ca.gov>

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

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

Federal Communications Commission: <http://www.fcc.gov>

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

Web Wise Kids: <http://www.webwisekids.org>

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Policy adopted: October 18, 1995

Lancaster, California

**Policy revised: January 15, 1997; July 12, 2000; January 16, 2002; April 16, 2008;
September 5, 2012**

Instruction

AR 6163.4 (a)

STUDENT USE OF TECHNOLOGY

The principal or designee shall oversee the maintenance of each school's technological resources and may establish guidelines and limits on their use. He/she shall ensure that all students using these resources receive training in their proper and appropriate use.

(cf. 0440 - District Technology Plan)

(cf. 4040 - Employee Use of Technology)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Online/Internet Services: User Obligations and Responsibilities

Students are authorized to use district or personal technology devices equipment to access the Internet or other online services in accordance with Board policy, the user obligations and responsibilities specified below, and the district's Acceptable Use Agreement.

1. The student in whose name an online services account is issued is responsible for its proper use at all times. Students shall keep personal account numbers, home addresses, and all telephone numbers private. They shall only use the account to which they have been assigned.
2. Students are responsible at all times for their use of the District's electronic communication system and must assume personal responsibility to behave ethically and responsibly
3. Students shall use the district's system safely, responsibly, and primarily for educational purposes. Students must have teacher approval for classroom use of personal devices. Students must use the district's filtered wireless network during the school day on personal electronic devices.
4. Students shall not access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs.

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently

offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

Instruction

AR 6163.4 (b)

STUDENT USE OF TECHNOLOGY

5. Unless otherwise instructed by school personnel, students shall not disclose, use, or disseminate personal identification information about themselves or others when using email, chat rooms, or other forms of direct electronic communication. Students shall not disclose such information by other means to individuals contacted through the Internet without the permission of their parents/guardians. Personal information includes the student's name, address, telephone number, Social Security number, or other individually identifiable information.

6. Students shall not use the system to encourage the use of drugs, alcohol, or tobacco, nor shall they promote unethical practices or any activity prohibited by law, Board policy, or administrative regulations.

(cf. 3513.3 - Tobacco-Free Schools)

7. Students shall not use the system to engage in commercial or other for-profit activities.

8. Students shall not use the system to threaten, intimidate, harass, or ridicule other students or staff.

(cf. 5131 - Conduct)

9. Copyrighted material shall be posted online only in accordance with applicable copyright laws. Any materials utilized for research projects should be given proper credit as with any other printed source of information. Copyrighted material shall include but is not limited to music, software and games.

(cf. 5131.9 - Academic Honesty)

(cf. 6162.6 - Use of Copyrighted Materials)

10. Students shall not intentionally upload, download, or create computer viruses and/or maliciously attempt to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking."

(cf. 5131.5 - Vandalism, Theft and Graffiti)

11. Students shall not attempt to interfere with other users' ability to send or receive email, nor shall they attempt to read, delete, copy, modify, or use another individual's identity.

12. Students shall report any security problem or misuse of the services to the teacher or principal. The district may review files and communications to maintain system integrity and insure that users are

using the system responsibly. Users should not expect that files stored on district servers will always be private.

Instruction

AR 6163.4 (c)

STUDENT USE OF TECHNOLOGY

(cf. 5145.12 - Search and Seizure)

The principal or designee may cancel a student's user privileges whenever the student is found to have violated Board policy, administrative regulation, or the district's Acceptable Use Agreement. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Board policy.

(cf. 5144 - Discipline)

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

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

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Regulation approved: October 18, 1995

Lancaster, California

**Regulation revised: January 15, 1997; July 12, 2000; January 16, 2002; April 16, 2008;
September 5, 2012**

• E 5144.1(a): Minimum/Maximum Penalties Chart

Students

BP 5144.1(a)

SUSPENSION AND EXPULSION/DUE PROCESS

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

(cf. 5131 – Conduct)

(cf. 5131.1 – Bus Conduct)

(cf. 5131.2 – Bullying)

To correct the behavior of any student who is subject to discipline, the Superintendent or designee shall, to the extent allowed by law, first use alternative disciplinary strategies specified in AR 5144.1 – Discipline. (Education Code 48900.5)

(cf. 1020 – Youth Services)

(cf. 5138 – Conflict Resolution/Peer Mediation)

(cf. 5144 – Discipline)

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

(cf. 6164.2 – Guidance/Counseling Services)

(cf. 6145.5 – Student Success Teams)

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

(cf. 5113 – Absences and Excuses)

(cf. 5113.1 – Chronic Absence and Truancy)

Except for single acts of a grave nature or offenses for which suspension or expulsion is required by law, suspension or expulsion shall be used only when means of correction have failed to bring

about proper conduct, or the student's presence causes a continuing danger to himself/herself or others.

(cf. 5131.7 – Weapons and Dangerous Instruments)

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

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

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

Students

BP 5144.1(b)

SUSPENSION AND EXPULSION/DUE PROCESS

Zero Tolerance

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

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

Due Process

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

(cf. 5119 - Students Expelled from Other Districts)

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

Removal from Class by a Teacher and Parental Attendance

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

When suspending a student from class for committing an obscene act, engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended to assist in resolving the classroom behavior problems. (Education Code 48900.1)

Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the teacher and the student and his/her parents/guardians and to improve the student's behavior.

Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)

SUSPENSION AND EXPULSION/DUE PROCESS

When a teacher requires parental attendance, the principal shall send a written notice to the parent/guardian stating that his/her attendance is required pursuant to law. (Education Code 48900.1)

(cf. 5145.6 – Parental Notifications)

A parent/guardian who has received a written notice shall attend class as specified in the notice. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

At the meeting with the student's parent/guardian, the principal or designee shall explain the district's and school's discipline policies, including the disciplinary strategies that may be used to achieve proper student conduct.

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by telephone, mail, or other method that maintains the confidentiality of the student's records.

(cf. 5125 – Student Records)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

On-Campus Suspension Program (Supervised Suspension Classroom)

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

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

Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on case-by-case basis, pursuant to the requirements of law and administrative regulation.

SUSPENSION AND EXPULSION/DUE PROCESS

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment

233 Hate violence

1981 Enrollment of students in community school

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35145 Open board meetings

35146 Closed sessions (re suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

48645.5 Readmission; contact with juvenile justice system

48660-48667 Community day schools

48853.5 Foster youth

48900-48927 Suspension and expulsion

48950 Speech and other communication

48980 Parental notifications

49073-49079 Privacy of student records

CIVIL CODE

47 Privileged communication

48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt

54950-54963 Ralph M. Brown Act

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

LABOR CODE

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

PENAL CODE

31 Principal of a crime, defined

240 Assault, defined

241.2 Assault fines

242 Battery defined

243.2 Battery on school property

243.4 Sexual battery

245 Assault with deadly weapon

245.6 hazing

261 Rape defined

266c Unlawful sexual intercourse

286 Sodomy defined

288 Lewd or lascivious acts with child under age 14

288a Oral copulation

SUSPENSION AND EXPULSION/DUE PROCESS

- 289 *Penetration of genital or anal openings*
- 417.27 *Laser pointers*
- 422.5 *Hate crime defined*
- 422.6 *Interference with civil rights*
- 422.7 *Aggravating factors for punishment*
- 422.75 *Enhanced penalties for hate crimes*
- 626.2 *Entry upon campus after written notice of suspension or dismissal without permission*
- 626.9 *Gun-Free School Zone Act of 1995*
- 626.10 *Dirks, daggers, knives, razors or stun guns*
- 868.5 *Supporting person; attendance during testimony of witness*

WELFARE AND INSTITUTIONS CODE

729.6 *Counseling*

UNITED STATES CODE, TITLE 18

921 *Definitions, firearm*

UNITED STATES CODE, TITLE 20

1415(K) *Placement in alternative educational setting*

7151 *Gun-free schools*

COURT DECISIONS

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

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

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

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

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

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

ATTORNEY GENERAL OPINIONS

84 *Ops.Cal.Atty.Gen 146 (2001)*

80 *Ops.Cal.Atty.Gen. 91 (1997)*

80 *Ops.Cal.Atty.Gen. 85 (1997)*

Management Resources:

CSBA PUBLICATIONS

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

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Civil Rights Data Collection Summary, March 2012

WEB SITES

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

California Attorney General’s Office: <http://www.oag.ca.gov>

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

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>

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

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

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Policy adopted: November 13, 1990

Lancaster, California

Policy revised: April 3, 1996; March 1, 2000; March 20, 2002; April 3, 2013

SUSPENSION AND EXPULSION/DUE PROCESS

Definitions

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

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

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

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

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

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

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

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

Notice of Regulations

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

SUSPENSION AND EXPULSION/DUE PROCESS

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

Any student, including a student with disabilities, may be subject to suspension or expulsion when it is determined that he/she:

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person 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) when 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(t))

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

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, 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 such controlled substance, alcoholic beverage or intoxicant. (Education Code 48900(d))
5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

SUSPENSION AND EXPULSION/DUE PROCESS

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))
7. Stole or attempted to steal school property or private property. (Education Code 48900(g))
8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing his/her own prescription products. (Education Code 48900(h))

(cf. 5131.62 – Tobacco)

9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))
11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

(cf. 5131.4 – Student Disturbances)

12. Knowingly received stolen school property or private property. (Education Code 48900(l))
13. Possessed an imitation firearm (Education Code 48900(m))

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

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))

SUSPENSION AND EXPULSION/DUE PROCESS

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

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

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

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

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

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

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

(cf. 1114 – District Sponsored Social Media)

(cf. 5131.2 – Bullying)

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

(cf. 6146.6 – Identification and Education under Section 504)

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

SUSPENSION AND EXPULSION/DUE PROCESS

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

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

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

(cf. 5145.7 - Sexual Harassment)

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

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

(cf. 5145.9 - Hate-Motivated Behavior)

- 22. 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 class work, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

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 or within any other school district, at any time, including, but not limited to, the following: (Education Code 48900(s))

SUSPENSION AND EXPULSION/DUE PROCESS

1. While on school grounds
2. While going to or coming from school

(cf. 5131.1 – Bus Conduct)

3. During the lunch period, whether on or off the school campus

(cf. 5112.5 – Open/Closed Campus)

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

Removal from Class by a Teacher and Parental Attendance

A teacher may remove 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)

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. If that action requires the continuing presence of the student at school, he/she shall be appropriately supervised during the class periods from which he/she has been removed. (Education Code 48910)

As soon as possible, the teacher shall 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. (Education Code 48910)

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)

SUSPENSION AND EXPULSION/DUE PROCESS

Pursuant to 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)

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

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. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student
3. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

Suspension by Superintendent, Principal, or Designee

The Superintendent, principal, or designee may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above. A student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct in the student. (Education Code 48900.5)

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

(cf. 5125 – Student Records)

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

In addition, the Superintendent, principal, or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

SUSPENSION AND EXPULSION/DUE PROCESS

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

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

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

(cf. 6184 – Continuation Education)

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

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, presented with the evidence against him/her, and given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911)

SUSPENSION AND EXPULSION/DUE PROCESS

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

2. **Administrative Actions:** All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)
3. **Notice to Parents/Guardians:** At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall 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(s) and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code 48914)

Although the parent/guardian is required to respond without delay to a request for a conference about his/her child'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 the conference. (Education Code 48911)

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

SUSPENSION AND EXPULSION/DUE PROCESS

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)

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

(cf. 6173.1 – Education for Foster Youth)

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

Suspension by the Board

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

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

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

(cf. 9321 - Closed Session Purposes and Agendas)

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

SUSPENSION AND EXPULSION/DUE PROCESS**Supervised Suspension Classroom (On-Campus Suspension Program)**

A student for whom an expulsion action has not been initiated and who poses no imminent danger or threat to the school, students, or staff may be assigned to a supervised suspension classroom in a separate classroom, building, or site 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. The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to 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)

Authority to Expel

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

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion." (Education Code 48915)

For all other grounds listed above under "Grounds for Suspension and Expulsion," the Board shall order a student expelled upon recommendation of the Superintendent, principal, designee, hearing officer or administrative panel, only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

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

SUSPENSION AND EXPULSION/DUE PROCESS

Mandatory Recommendation for Expulsion

Unless the Superintendent, principal, or designee determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, he/she shall recommend a student's expulsion for any of the following acts: (Education Code 48915(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 (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication for his/her use or other medication prescribed for him/her by a physician
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

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

Mandatory Recommendation and Mandatory Expulsion

The Superintendent, principal, 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, 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.

However, possession of an imitation firearm, as defined in Education Code 48900(m), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion.

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.

SUSPENSION AND EXPULSION/DUE PROCESS

4. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4.
5. Possessing an explosive as defined in 18 USC 921.

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

Student’s Right to Expulsion Hearing

The student recommended for expulsion shall be entitled to a hearing to determine whether he/she should be expelled. The hearing shall be held within 30 school days after the Superintendent, principal or designee determines that the student has committed one of the acts listed above under “Grounds for Suspension and Expulsion.” (Education Code 48918(a))

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

If the Board finds it impractical during the 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))

After a determination that one of the grounds listed above under “Grounds for Suspension and Expulsion” has occurred, the Superintendent, principal, or designee shall offer the student and his/her parent/guardian the option to waive a hearing and stipulate to the expulsion. The stipulation agreement shall be in writing and shall be signed by the student and his/her parent/guardian.

SUSPENSION AND EXPULSION/DUE PROCESS**Rights of Complaining Witness**

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

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

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

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

Written Notice of the Expulsion Hearing

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

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

SUSPENSION AND EXPULSION/DUE PROCESS

(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.

Additional Notice of Expulsion Hearing for Foster Youth

At least 10 days prior to a hearing to determine if a student who is a foster youth as defined under Education Code 48853.5 should be expelled for an offense not requiring a mandatory recommendation for expulsion, the Superintendent or designee shall notify the student’s attorney and a representative of an appropriate county child welfare agency. If the hearing is pursuant to an offense requiring a mandatory expulsion recommendation, the Superintendent or designee may provide the same notification. The notice shall be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of 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))

SUSPENSION AND EXPULSION/DUE PROCESS

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

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

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

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

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

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

SUSPENSION AND EXPULSION/DUE PROCESS

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

5. Testimony by Complaining Witnesses: The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: Education Code 48918, 48918.5)
 - a. Any complaining witness shall be given five days' notice before being called to testify.
 - b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
 - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
 - d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
 - e. If one or both support persons are also witnesses, the hearing shall be conducted 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.

SUSPENSION AND EXPULSION/DUE PROCESS

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

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

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

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

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated. 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. The decision not to recommend expulsion shall be final. (Education Code 48918(e))

SUSPENSION AND EXPULSION/DUE PROCESS

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. (Education Code 48917, 48918)

Final Action by the Board

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

(cf. 9321.1 - Closed Session Actions and Reports)

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. If an expulsion is ordered during the summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916)

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

1. Periodic review, as well as assessment 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, or other rehabilitative programs

SUSPENSION AND EXPULSION/DUE PROCESS

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

Written Notice to Expel

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

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

Decision Not to Enforce Expulsion Order

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

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

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

SUSPENSION AND EXPULSION/DUE PROCESS

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

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion 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. The district shall provide the student with these documents within 10 school days following the student's written request. (Education Code 48919)

SUSPENSION AND EXPULSION/DUE PROCESS

Notice to law Enforcement Authorities

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

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

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

Post-Expulsion Placements

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

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

(cf. 6158 – Independent Study)
(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent so certifies, students expelled for acts described in items #6 through #13 and #20 through #22 under “Grounds for Suspension and Expulsion” above may be referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school. (Education Code 48915)

The program for a student expelled from any of grades K-6 shall not be combined or merged with

programs offered to students in any of grades 7-12. (Education Code 48916.1)

Students

AR 5144.1(w)

SUSPENSION AND EXPULSION/DUE PROCESS

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

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

SUSPENSION AND EXPULSION/DUE PROCESS

Maintenance of Records

The Board shall maintain a record of each expulsion, including its specific cause(s).

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

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

(cf. 5119 - Students Expelled from Other Districts)

Outcome Data

The Superintendent or designee shall maintain the following data and report such 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

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Regulation approved: November 13, 1990

Lancaster, California

Regulation revised: April 3, 1996; March 1, 2000; March 20, 2002; February 4, 2004;
April 3, 2013

B: School Discipline Policy

DISCIPLINARY PROCEDURE

The Board of Education has the responsibility to see that an appropriate education program is available to each student in our schools. Rules and regulations are established to ensure a proper climate in which students may pursue their studies. School personnel have been charged by the Board to carry out these rules in a friendly, firm and fair manner in order to safeguard each student's right to the finest education we can provide. The Board further feels that good discipline is a shared responsibility. Students, parents, teachers, and administrators all share in this endeavor and responsibility.

SUSPENSIONS

Suspension from school is counterproductive to the purpose of SOAR High School. Any actions by students that would qualify as a basis for suspension in a comprehensive school could constitute removal from our program and placement into a comprehensive high school.

BEHAVIOR PROBATION

A student may be placed on Behavior Probation for either a single discipline infraction deemed "serious" (any discipline that warrants suspension) or for habitual minor infractions. Students are placed on Behavior Probation for two consecutive semesters. For continual discipline infractions (minor) or a second "serious" (any discipline that warrants suspension) infraction, the student may be removed from the SOAR Program.

CLASSROOM BEHAVIOR

School and District personnel are obligated to keep the classroom free from threats of harmful influence or disruptive behavior and to adopt rules that further this end. Teachers have the right to add expectations as is appropriate for their classroom setting.

LOST OR DAMAGED SCHOOL PROPERTY

Students are loaned books and other materials during the school year. These are to be returned in good order. Fines will be assessed for any misused books or materials and also for any lost books or materials.

SEXUAL HARASSMENT POLICY

The Board of Trustees prohibits unlawful sexual harassment of or by any student by anyone in or from the district. Teachers shall discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of sexual harassment. Any student who engages in the sexual harassment of anyone in or from the district may be subject to disciplinary action up to and including expulsion. Any employee who permits or engages in sexual harassment may be subject to disciplinary action up to and including dismissal. (BP5145.7, 4119.23).

The Board expects student and staff to immediately report incidents of sexual harassment to the principal or designee or to another district administrator. Any student who is being harassed should immediately contact the principal or designee or another district administrator in order to obtain a copy of AR1312.3 – Uniform Complaint Procedures. Complaints of harassment can be filed in accordance with these procedures. The district prohibits retaliatory behavior against any complainant or any participant in the complaint process. Each complaint of sexual harassment shall be promptly investigated in a way that respects the privacy of all parties concerned.

PUBLIC DISPLAY OF AFFECTION

Flagrant and/or provocative displays of affection do not have a place at any time in our school. This behavior may result in disciplinary action up to and including an off-campus suspension or removal from the program.

ELECTRONIC DEVICES

Cell phone use is strictly prohibited during the school day. Inappropriate use of MP3 players/CD players can result in disciplinary action including confiscation or suspension. Student owned electronic devices of any kind are brought on campus at the student's own risk. We will not investigate any thefts of these devices.

IDENTIFICATION CARDS

Each student will be issued an official SOAR High School photo I.D. badge at the beginning of the school year. **Students are required to wear the I.D. badge during at all times while on campus. This will be enforced by not only High School Staff, but College Police/Security as well.**

Admission to all school events will be restricted to High School I.D. badge holders. A \$5.00 charge will be paid prior to the replacement of lost/stolen I.D. badges. Replacement I.D.'s will be available in the school office.

PARKING LOT

The parking lot is a place to keep the student's car during the school day. Neither Antelope Valley Union High School District nor AVC assumes any responsibility for

theft or damage. In an effort to protect the student's car and other possessions, we require that students:

Not be in the parking lot during break/lunch or any class period. Not loiter in the parking lot before or after school.

All vehicles must be parked legally and in designated area only. Violators may be cited and towed away.

Students found in the parking lot during class time or break may receive disciplinary action. Parking passes may be purchased from the Antelope Valley College Cashier's office.

DISTRIBUTION OF LITERATURE

Any non-S.H.S. affiliated literature must be pre-approved by S.H.S. Administration.

Restrictions can be placed on student speech when:

It is materially and substantially disruptive to the educational process. It is pervasively vulgar in content or nature.

It is harmful to students.

C: School Dress Code Policy

DRESS CODE

All students are expected to dress and groom appropriately, with an emphasis on modesty, decency, personal and public health. In essence, **DRESS FOR SUCCESS**. Students are also expected to maintain a high standard of personal hygiene.

1. All students are required to wear appropriate footwear for school. **No flip-flops.**
2. All shirts and tops must cover the midriff at all times. The following are examples of clothing that is unacceptable: tank tops, strapless, spaghetti straps, off the shoulder, cut out designs, low-cut shirts, bare back, sheer or mesh clothing that does not have an appropriate blouse or shirt underneath, etc.
3. All pants and shorts must fit at the waist. No sagging or low riding will be permitted. Clothing must cover undergarments when sitting, standing, or bending.
4. Only SOAR/AVC hats that are purchased in the AVC Student Store are acceptable and must be worn with the brim forward.
5. Hemline and slits on dresses, skirts, and shorts above mid-thigh are not acceptable.
6. Clothing and hair accessories that are unsafe and/or dangerous are not permitted (for example, hair-picks and combs, studded belts, chains, spikes, handcuffs, safety pins, needles, etc.).
7. Clothing or jewelry that depicts any “gang style” writing; illegal activity; sexually related or obscene gestures and material; tobacco; drugs; alcohol; or words, pictures, or phrases that depicts violence or intimidation may not be worn.
8. Any body piercing that presents a safety issue or major distraction will not be allowed, and must be removed or covered.
9. Any clothing or styles of dress that may be construed to provoke fear, violence, or intimidation, including gang-related attire, is not acceptable.

Minimum Penalties for Dress Code Violations

| | |
|-----------------|---|
| First Offense: | Warning |
| Second Offense: | Parent Contact (Saturday School Notice) – Student assigned to Saturday School. |
| Third Offense: | Parent Contact (Phone Call) – Referral to Administrator. |
| Fourth Offense: | Parent Contact (Phone Call) – Referral to Administrator. Possible placement to comprehensive high school alternative program for continued defiance of school rules. |

GANG DRESS

1. Pants oversized at the waist are not allowed
2. Wearing pants below the waist line (sagging) is not allowed.
3. No gang-related jewelry, insignia, colors, paraphernalia, materials, apparel, clothing or attire may be worn or carried on campus or at school activities.
4. Belt buckles with any initials are prohibited.
5. Wearing an oversized belt with one end hanging down is prohibited.
6. Excessive color identities – red, blue, purple, green, or black is prohibited.
7. No gang-related hats, or other related head wear can be worn.
8. Bandannas, red or blue belts, red or blue shoelaces, or rags that commonly signify gang identity by style or color are prohibited.
9. Clothing jewelry, paraphernalia or material which is obscene, sexually explicit or which depicts or suggests sexually-related or obscene gestures, pictures, or wording or which promotes violence, the use/abuse of drugs, tobacco or alcohol may not be worn or carried on campus or at school activities.
10. Shorts extending below the knee when worn with over-the calf socks are prohibited. No pants can be worn with one leg up and one down.
11. No student may wear article of clothing jewelry, paraphernalia or accessories which pose a threat to the physical and/or emotional well-being and safety of the student or others on campus or at school activities.
12. Shirts buttoned at the top and unbuttoned at the bottom are prohibited.
13. Steel-toe combat style boots are prohibited.
14. Gang or tagger-crew writing on shoes, clothes, or body, backpacks or accessories is not permitted.
15. Sports jerseys, other than school jerseys, will not be allowed.
16. Clothing or articles of clothing (including, but not limited to gloves, bandannas, shoestrings, wristbands, jewelry) which are likely to provoke others to acts of violence or which are likely to cause others to be intimidated by fear of violence may not be worn on campus or at any school activity.

D: School Site Safety Plan Check List

| DESCRIPTION OF CALIFORNIA ED CODE ITEM | | IN PLAN | NEED ED | COMMENTS |
|---|---|---------|---------|----------|
| <i>32282 (a) The comprehensive school safety plan shall include, but not be limited to the following:</i> | | | | |
| 1 | School Info - Name of School, District, principal, address, phone number, email. Public Meeting Date/Location. Law Enforcement Review. Mission Statement, Table of Contents | X | | |
| 2 | Date reviewed and approved by Site Council. List of committee member's names/titles: Principal/designee, teacher rep, classified rep, Parent of attending student, Law Enforcement rep, Student Rep. May include other community member or other desired member/s. | X | | |
| 3 | Assessment of the current status of school crime committed on school campuses and at school-related functions. California Healthy Kids Survey (CHKS), staff climate with student and parent surveys. Student attendance, referrals, discipline and expulsions. Crime Data. Threat, Risk, Hazard and Vulnerability Assessment. | X | | |
| 4 | Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following: | X | | |
| 5 | Child abuse reporting procedures consistent with Article 2.5(commencing with Section 11164) of Title 1 of Part 4 of the Penal Code. Sexual Harassment Policy. A Discrimination and Harassment policy consistent with the prohibition against discrimination contained in Chapter 2 (commencing with Section 200) of Part 1. Procedures adopted under the Safe and Drug Free Schools Act. Hate crime policies and reporting procedures pursuant to Chapter 1.2 (commencing with Section 628) of Title 15 of Part 1 of the Penal Code. Bullying prevention Policies and Procedures. | X | | |
| 6 | Disaster procedures, routine and emergency, including adaptations for pupils with disabilities in accordance with the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.). The disaster procedures shall also include, but not be limited to both of the following: | X | | |
| 7 | Establishing an earthquake emergency procedure system in every public school building having an occupant capacity of 50 or more pupils or more than one classroom. A district or county office may work with the California Emergency Management Agency and the Seismic Safety Commission to develop and establish the earthquake emergency procedure system. The system shall include, but not be limited to, all of the following: | X | | |
| 8 | A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of pupils and staff. A drop procedure whereby each pupil and staff member takes cover under a table or desk, dropping to his or her knees, with the head protected by the arms, and the back to the windows. A drop procedure practice shall be held at least once each school quarter in elementary schools and at least once a semester in secondary schools | X | | |
| 9 | Protective measures to be taken before, during, and following an earthquake. A program to ensure that pupils and both the certificated and classified staff are aware of, and properly trained in, the earthquake emergency procedure system. | X | | |

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|--------|---|---|--|--|
| 1 0 | Establishing a procedure to allow a public agency , including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The district or county office shall cooperate with the public agency in furnishing and maintaining the services as the district or county office may deem necessary to meet the needs of the community. | X | | |
| 1 1 | Policies pursuant to subdivision (d) of Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations pursuant to Article 1 (commencing with Section 48900) of Chapter 6 of Part 27. | X | | |
| 1 2 | Procedures to notify teachers of dangerous pupils pursuant to Section 49079. | X | | |
| 1 3 | The provisions of any schoolwide dress code , pursuant to Section 35183, that prohibits pupils from wearing "gang-related apparel," if the school has adopted that type of a dress code. For those purposes, the comprehensive school safety plan shall define "gang-related apparel." The definition shall be limited to apparel that, if worn or displayed on a school campus, reasonably could be determined to threaten the health and safety of the school environment. Any schoolwide dress code established pursuant to this section and Section 35183 shall be enforced on the school campus and at any school-sponsored activity by the principal of the school or the person designated by the principal. For the purposes of this paragraph, "gang-related apparel" shall not be considered a protected form of speech pursuant to Section 48950. | X | | |
| 1 4 | Procedures for safe ingress and egress of pupils, parents, and school employees to and from school. | X | | |
| 1 5 | A safe and orderly environment conducive to learning at the school. Including the <i>social climate</i> (people and programs) AND the <i>physical environment</i> (place). | X | | |
| 1 6 | The rules and procedures on school discipline adopted pursuant to Sections 35291 and 35291.5. | X | | |
| 1 7 | Grants to assist schools in implementing their comprehensive school safety plan shall be made available through the partnership as authorized by Section 32285. | X | | |
| 1 8 | The comprehensive school safety plan may be evaluated and amended, as needed, by the school safety planning committee, but shall be evaluated at least once a year, to ensure that the comprehensive school safety plan is properly implemented. An updated file of all safety-related plans and materials shall be readily available for inspection by the public. All Site Plans may be viewed by the public at the AVUHSD website: www.avdistrict.org | X | | |
| 1 9 | Each school shall adopt its comprehensive school safety plan by March 1, 2000, and shall review and update its plan by March 1, every year thereafter. AVUHSD Board of Trustees will approve plans prior to March 1. See agenda approval date at https://www.boarddocs.com/ca/avuhsd/Board.nsf . | X | | |
| 2 0 | Commencing in July 2000, and every July thereafter, each school shall report on the status of its school safety plan, including a description of its key elements in the annual school accountability report card prepared pursuant to Sections 33126 and 35256 | X | | |
| 2 1 | Completed Checklist and a Copy of the full California Ed Code Section re: School Site Safety Plan | X | | |

Principal Approved: _____
Date: _____