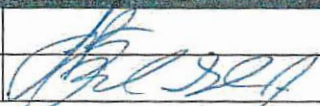



# Comprehensive School Safety Plan SB 187 Compliance Document

**2023-24  
School Year**

**School:** Bear Mountain Elementary School  
**CDS Code:** 15-63313-6110464  
**District:** Arvin Union Elementary School District  
**Address:** 1501 Hood Street  
Arvin CA, 93203  
**Date of Adoption:** February 20, 2024

Approved by:

Name	Title	Signature	Date
Javier Pacheco	SSC Chairperson		2/15/24
Ricardo Salinas Jr.	Principal		2/15/24

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

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

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

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

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

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

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

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

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

## **Safety Plan Vision**

### **Purpose and Scope**

The Arvin Union School District (AUSD) Comprehensive Safe School Plan (CSSP) provides guidance and direction to principals, faculty and staff who have Emergency Management Responsibilities (EMR). The Emergency Response Plan along with the School Comprehensive Safe School Plan shall be used during an emergency incident involving an AUSD school facility.

### **Key Emergency Contact**

After contacting 911, it is imperative during an emergency to contact the office of the Superintendent as quickly as possible. She will respond immediately to the emergency and alert the appropriate members of the District School Safety Team.

### **Safe School Leadership Team (SSLT)**

Each AUSD facility and administrative site will have a Safe School Leadership Team (SSLT) to take charge of the emergency, respond effectively, protect the occupants of the facility and reduce the risk of physical injury, property damage and business interruption.

Standardized Emergency Management System (SEMS) is the system required by Government Code 8607(a) for managing response to multi-agency and multi-jurisdiction emergencies in California. SEMS consists of five organizational levels, which are activated as necessary: Field Response, Local Government,

Operational Area, Regional, and State.

The school site Safe School Leadership Team (SSLT) carries out the Field Response level of crisis and emergency management, the District School Safety Team functions at the Local Government level in this system. By organizing our crisis response plans according to SEMS, both school sites and the district are positioned to integrate services when an incident occurs on an area, regional or state level.

By standardizing key elements of the emergency management system, SEMS is intended to:

- Facilitate the flow of information within and between levels of the system.
- Facilitate coordination among all responding agencies.

Use of SEMS will improve the mobilization, deployment, utilization, tracking, and demobilization of needed mutual aid resources.

Use of SEMS will reduce the incident of poor coordination and communications, and reduce resource ordering duplication on multi-agency and multi-jurisdiction responses. SEMS is designed to be flexible and adaptable to varied disasters that occur in California, and to the needs of all emergency responders.

**Essential Management Functions:** SEMS has five essential functions adapted from Incident Command System (ICS). The Field Response uses the five primary ICS functions: Command, Operations, Planning/Intelligence, Logistics, and Finance/Administration. The term management is used instead of command at all levels except Field Response. The titles of the other functions remain the same at all levels.

Under the SEMS, tasks are delegated to members of the SSLT to successfully handle critical incidents. The SSLT member is then responsible for the task assigned and serves as the manager of the task. This type of delegation allows each manager to focus on just one or two aspects of the incident. These managers then provide information to the incident commander (principal) and assist them in making informed decisions. Using this organizational system during a critical incident creates clear communication channels that will reduce the amount of confusion and chaos.

Permanently assigning specific areas of responsibility to members of the Safe School Leadership Team provides each member with the opportunity to specialize in the management of his/her area.

The SEMS can also address the uncertainty of exactly who will be in the building during an emergency. When assigning the management of critical roles in the SEMS, assign an alternate for each role to assure coverage at all times. This may require some individuals to be responsible for more than one task if the primary manager were out of the building. While the SEMS identifies roles for the members of the SSLT, all school faculty members should know their specific functions during an emergency. Teachers with students in class will have specific functions, as will teachers not assigned a class when an emergency occurs. It is imperative to emergency operations that SEMS roles and responsibilities are assigned and understood by the Safe School Leadership Team members. The Roles & Responsibilities outlined in this document, will also assist the Incident Commander System if one or more team members/alternates are not available. City emergency responders use the SEMS to manage emergency events. Because of this, a school with assigned roles for administrators and teachers will be able to work more efficiently with city agencies.

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

### **Bear Mountain Elementary School Safety Committee**

Incident Command/Principal - Ricardo Salinas Jr.

Planning and Intelligence/School Secretary - Marlen DeLeon

Operations/Vice Principal - Sarah Randle

Logistics/Site Custodian - Michael Martinez

Administrator Finance/Attendance Clerk - Jessica Benavides

Administrative Designee - Claudia Moreno

School Nurse- Cheryl Brown

Campus Supervisor - Carmelita Vega

### **Assessment of School Safety**

The school campus is maintained by a custodial staff of several staff members. Staff and students at Bear Mountain take pride in their clean, hazard free campus. Staff members are well trained to report potential safety hazards immediately. In cases of vandalism, the custodian follows a procedure for reporting to school personnel and makes every effort to repair the damage prior to the arrival of students.

Bear Mountain Elementary School faces the normal everyday challenges in maintaining a safe school. This section of the Comprehensive School Safety Plan will describe programs in place at our school as well as strategies and programs for continued improvement in providing a safe, orderly, school environment conducive to learning. Bear Mountain Elementary School has a current 2023-2024 enrollment of 739 students as reported by Kern KIDs data on December 6, 2023. In 2022-2023, our enrollment was 751 students according to Kern KIDs; general education, pre-kindergarten through 6th grade students.

It also indicates 95.9% of students are socioeconomically disadvantaged and 7.9% of our students have a disability. The ethnic makeup of the pupil population is 94% Hispanic, 3.6% White, 1.6% African American, 0.2% Asian, 0 % American Indian or Alaska Native, 0.1% Filipino, 0% Pacific Islander, and 0.2% two or more races. 64.8% of our students are English Learners, 0.5% Foster Youth, and 1.3% are considered Homeless. Our students have a variety of life experiences. Some have recently arrived from out of the country or state while others have never left their neighborhood.

A Student Success Team (SST) meets on an as needed basis and teachers are encouraged to bring any student before the team who is experiencing difficulty in the areas of attendance, behavior, or academics. The SST team includes the - Coordinator, classroom teacher, academic coach, the School Psychologist when available, the parents of the child, and an administrator.

Bear Mountain Elementary has started having monthly PBIS/MTSS meetings, to be proactive and less reactive, to discuss student supports for our most needed students and families. Members of the committee include: Campus Supervisor, SSWs, teachers, a parent, a student, and administration. We discuss students and/or families holistically to best assess and offer appropriate support services. Additionally, administration has monthly site visit meetings with the Alternate Learning Academy (ALA) teacher to follow-up to any students who have attended ALA, to check on their progress, and to provide suggestions on how to support other Tier 2/3 behaviors.

### **SUSPENSION:**

Suspension rate maintained from 0% (2021-2022) to 0% (2022-2023) and the status on the CA Dashboard is "Very Low". The site has been working on building a positive climate through PBIS Expectations and student incentives. Students also attend an assembly twice a year where they are reminded of the school rules, expectations, board policies, and are notified of actions that can result in suspensions. In addition, the district utilizes an alternative to suspension program that utilizes Blue Water curriculum to promote self-reflection and encourages better decision-making. Safe School Ambassadors also play a large role in the school climate. They report incidents to group leaders or staff members, and they also positively address students when rules are not being followed. They have helped to keep a positive school climate and lead by example when promoting positive behaviors. A campus supervisor supports the staff and students and promotes a positive school climate. She helps monitor and supervise students during breaks, lunch, checks in with our students who display at-risk behaviors, and helps monitor dismissal. Additionally, she facilitates restorative circles with students and other support staff. The site continues to focus on creating a safe and respectful environment by reminding students of site expectations during our daily morning announcements.

#### ATTENDANCE:

Bear Mountain Elementary had a 35.6% chronic absenteeism percentage for 2022-2023 school year. Chronic absenteeism was "Very High" for the following student groups: English Learners, Hispanics, Homeless, Socioeconomically Disadvantaged and Students with Disabilities. Bear Mountain's English Learners chronically absent student percentage was 30.6% compared to the state's 33.6%, our chronically absent Hispanic student percentage was 33.9% compared to the states 35.8%, Homeless chronically absent students was 34.6% compared to the states 45.1%, Socioeconomically disadvantaged students were 36.5% compared to the states 37.4%, and chronically absent Students with Disabilities is 34.2% compared to the states 39.6%. Although Bear Mountain Elementary was below the states average for all chronically absent student subgroups, we will focus efforts on those subgroups. Additionally, 95.9% of the student population is Socioeconomically disadvantaged with many living in apartments leading to high transient rates which contribute to chronic absenteeism-another student population which our Student Success Facilitators will closely monitor. Our current overall attendance is 93.5% which is close to our annual goal of 94% attendance.

Although the school and district promote attendance incentives, families are still traveling out of the city and/or country during holiday seasons for extended periods of time negatively affecting the chronic absenteeism percentage. Additionally, the COVID pandemic recommendations continue to require students to quarantine when they test positive and it has negatively affected our attendance. Although students can do independent studies work for attendance credit, parents are finding it difficult to support their student learning at home during quarantine.

Students of Migrant families make up 13.1% of our school population. They also have attendance support needs during the work season and off the working season as the families are trying to settle in or find jobs elsewhere.

Please refer to Components of the Comprehensive School Safety Plan Section H for actions.

#### California Healthy Kids Survey Summary of Key Indicators of School Climate and Well Being

The following data are the key safety and school connectedness indicators comparing the previous two years, 2021-2022 and 2022-2023 California Healthy Kids Survey.

Below is the data for 5th grade students from the years 2022 / 2023:

#### OVERALL SUPPORTS AND ENGAGEMENTS - Part I

School Connectedness = 76%/ 72%

Caring Adults in School = 74%/ 72%

Meaningful Participation = 46%/45%

Feel Safe at School = 83%/70%

#### VIOLENCE

Violence Victimization = 32%/32%

#### OTHER SCHOOL CLIMATE INDICATORS - Part II

Fairness= 75%/68%

Rule Clarity = 82%/83%

Social Emotional Learning Supports = 85%/75%

Positive Behavior =93%/84%

Please refer to Components of the Comprehensive School Safety Plan Section H for actions.

#### Selected Student-Reported Indicators (California Healthy Kids Survey)

	2020 (%)	2021 (%)	2022 (%)	2023 (%)	Change
Finish all classroom assignments	85	72	84	68	-16
Absent 2 or more days in the past 30 days	21	19	8		



Feel a part of the school	71	81	80	72	-8
Adults at school care about you	79	72	88	72	-16
Safety at school	69	85	83	69	-14
Harassed at school	50	NA	NA	4	NA
Parents ask about school	84	68	92	72	-20

#### Selected Staff-Reported Indicators (California School Staff Survey)

	2020 (%)	2021 (%)	2022 (%)	2023 (%)	Change
Students are motivated to learn	NA	82	86	86	0
Truancy is moderate/severe problem	NA	16	17	27	+10
School is a supportive/inviting place for students to learn	NA	100	100	100	0
School is a supportive/inviting place for staff to work	NA	60	97	88	-9
School is a safe place for students	NA	NA	100	94	-6
Harassment/bullying is moderate/severe problem	NA	13	9	23	+14
School is welcoming to/facilitates parent involvement	NA	100	94	94	0
School has clean and well-maintained facilities	NA	NA	83	98	+15

Suspensions and Expulsions			
School	2020-21	2122-22	2022-23
Suspensions Rate	0.39	0.00	0.00
Expulsions Rate	0.00	0.00	0.00
District	2020-21	2122-22	2022-23
Suspensions Rate	0.10	0.84	0.80
Expulsions Rate	0.00	0.00	0.00
State	2020-21	2122-22	2022-23
Suspensions Rate	0.20	3.17	3.60
Expulsions Rate	0.00	0.07	0.08

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

##### SCHOOL SAFETY STRATEGY #1

Bear Mountain currently implements strategies that PROMOTE A SCHOOL CLIMATE OF RESPECT, EMOTIONAL SAFETY AND A CARING COMMUNITY with implementation of the following:

- School rules and expectations are sent home yearly in the Parent Handbook. This year it was also provided electronically through the ParentSquare Application, a paper copy was given during parent conferences, and is in the student AVID planners.
- The Back to School Night meeting is scheduled in person, via telephone, and virtually.
- Bilingual staff members are available to translate and provide support if needed.



- Hawk Talk student presentation is at the beginning of the year and after winter break to ensure all students are aware of behavioral expectations and to whom they can go for help.
- Hawks are nominated once per month for achieving goals/ academic improvement and receive a certificate and t-shirt
- Positive Behavior Intervention Systems (PBIS) incentives are presented for both staff and students.
- Students receive PBIS points for positive behavior displayed on campus and they are able to purchase items from the SOAR store using their points or attend a PBIS event.
- A full-time Campus Supervisor and two school social workers are on site to build positive relationships and to support students with identified needs.

District Policies are shared and reviewed with staff at the beginning of each school year.

District Policies in place:

- Child Abuse Reporting 5141.1
- Suspension/Expulsion 5144.1
- Procedures to Notify Teachers of Dangerous Students 49079
- Discrimination and Harassment Policy 5145.3
- School Wide Dress Code 5132
- Hate Crime Reporting 5145.9
- Suicide 5141.52
- Bullying 5131.2

Student feedback indicates that they enjoy particular key events and programs such as Monthly Attendance recognition, Academic All Star, SOAR tickets/PBIS points and Store, Class compliments, K-Kids, Halloween/Haunted House, Safe School Ambassadors, Red Ribbon Week, PE and Sports, Field trips, track meet, Book Fair, Art class, and various assemblies that celebrate attendance, academics, and behavior.

Parent handbooks are distributed electronically to all parents via ParentSquare at the beginning of the year. Included are the PBIS matrix and the BME Anti-Bullying contract: Student and Parent Agreement. Additionally, Bear Mountain Elementary is an AVID school and we provide our behavior matrix in every student planner.

**PREVENTING AND INTERVENING AGGRESSIVE PUPIL BEHAVIOR:** Safe School Climate: Bear Mountain Elementary will implement the following to promote a school climate of respect, emotional safety and a caring community:

- Staff and grade level meetings to share strategies and expectations.
- Professional development as needed.
- Focus on respectful relationships within school community.
- Promote and inform parents of online bullying reporting procedure. Focus on anti-bullying strategies, including how to prevent and report bullying situations.
- Continue implementing Positive Behavior Interventions and Support (PBIS) to improve school wide behavior.
- Promote positive school attendance with perfect attendance celebrations and acknowledgements in class and as a school.
- Continue to promote parent involvement on campus through ELAC, SSC, CWTP, and Parent Workshops.
- Leadership team to discuss and implement a variety of cultural/multicultural lessons/events.
- Work with staff and students to develop and promote the environment that students are asking for.
- Special Day classes mainstream as much as possible to promote acceptance of diversity and students with disabilities.
- Continue to provide professional development on effective class strategies and continue to promote inclusion.
- PBIS Committee to discuss and continue implementing strategies and incentives for students.
- Spirit Week to stand against bullying and promote reporting bullying using the Stop-It App and BME Student Bullying Reporting Form.
- Parent workshop on bullying provided to inform and encourage parents to report bullying use the Stop It App.
- Students who are being bullied or who have witnessed bullying are encouraged to report the incident.
- Alternative Learning Academy, the alternative to suspension program at Haven Drive (HD), allows for students to participate in a reinforcement/ behavior plan program rather than become suspended for violating California Education Code.

## SCHOOL SAFETY STRATEGY #2:

School administrators, staff, and campus lunch supervisors use common strategies to PROMOTE SCHOOL SAFETY

### Campus Supervisor and Administrative Positions-

Bear Mountain Elementary will continue to enhance physical safety by monitoring the surrounding school grounds-including landscaping, parking lots, and bus stops. Pupils can also be a good source of information and often are the most likely group to know in advance about potential school violence.

Bear Mountain employs a principal, vice principal and several morning and noon duty supervisors whose job is designed to help increase school safety, prevent prohibited offenses, and promote positive student relationships. The principal, vice principal and staff have developed procedures to monitor the school campus, the surrounding areas, and have designated the safe entrance and exit routes to school. Furthermore, recognizing that pupils are often the first to know of dangerous plans or actions, the principal and vice-principal at Bear Mountain make themselves available for pupils to safely report troubling behaviors that may lead to dangerous situations. Students and parents can call the school, use the STOPit App, or use Microsoft Teams or Outlook to share their concerns.

When it comes to school safety, pupils are taught that if they hear or see a safety concern, they must report it by telling an adult or Safe School Ambassadors and by using the STOPit app and anonymous Bullying Reporting Report if it pertains to bullying. If it deals with sexual harassment of any sort, they are taught to immediately report their concerns to an adult or staff member.

Effective relationships between the school administration, staff, campus supervisor and pupils help initiate appropriate investigations, help staff learn of suspects in school offenses, and help collect important knowledge about community conflicts that may have an impact on school safety.

### Campus Disturbances and Crimes

Bear Mountain recognizes that Unlawful Demonstrations or Walkouts may be committed by students, visitors and outsiders to the campus. Several steps have been taken to protect the school, staff, and pupils from safety threats by individuals visiting the campus area, such as our Raptor Visitor System which is used district-wide.

### Visitors and Disruptions to Educational Process

We are limiting outside visitors onto the site unless it is for IEP meeting, they are providing a direct service to our students, or a scheduled event like Lunch on the Lawn where parents have to sign in to come on campus. Bear Mountain is aware of the laws, policies and procedures, which govern the conduct of visitors to the school campus. Bear Mountain has minimized the number of campus entrances and exit points used daily. Access to school grounds is limited and supervised on a regular basis by staff members. Campus traffic, both pedestrian and vehicular, flows through areas that can be easily and naturally supervised. Delivery entrances used by vendors are also checked regularly in addition to vendors being checked in with the Raptor System. The campus has perimeter fencing for added safety.

To ensure the safety of pupils and staff and avoid potential disruptions, all visitors to the campus, except pupils of the school and staff members, must register immediately upon entering any school building or grounds when school is in session. They must provide a government ID to sign in through the Raptor System.

Bear Mountain has established a visible means of identification for visitors while on school premises. Furthermore, the school administration, staff or campus supervisor may direct an individual to leave school grounds if he/she has a reasonable basis for concluding that the person is committing an act that is likely to interfere with the peaceful conduct of school activities or that the person has entered the campus with the purpose of committing such an act. Law enforcement is immediately contacted for individuals engaging in threatening conduct, including disturbing the peace.

Bear Mountain currently has additional strategies in place to ensure the physical safety of students and staff:

- Classroom doors are kept closed and locked at all times.
- School personnel are posted in highly visible areas for arrival, student breaks, lunch, and dismissal periods equipped with whistles, radios, and fanny packs with basic first aid supplies and bright vests.
- Face masks are available for use.
- Earthquake and Lockdown Drills are conducted on a Quarterly basis.
- Fire drills are conducted monthly. Monthly drills to practice and implement disaster protocols and debrief.

- Automated External Defibrillator (AED) Drill are conducted annually.
- Safety meetings with staff are held to discuss updates and input.
- Safety folders and vest are provided to staff members with responsibilities, staff phone numbers, Incident Command, Standard Response Protocols and maps
- Night lighting for after school student activities and night crew work is set on a timer for safety.
- Crossing guards will be available at crosswalk areas.
- School is in Excellent repair per Williams Act reviews and is kept clean by site personnel.
- Technology including computers, email, an alarm system, and phones in rooms provide security and ease of communication.
- An evacuation map identifies appropriate routes for exit in the event of an emergency and for drills. Staff and students practice an off-campus evacuation drill once a year.
- Student feedback indicated that the need for additional supervision during recess periods, more cameras, a safer drop-off/pick-up in the parking lot, and more playground activities.
- All Preschool staff is certified with CPR certificates.
- Special Ed staff, PE teacher, Campus Supervisor and site administrators are ProAct trained .
- Preschool Gates are locked and secured at all times.

Safe School Plan strategies that address the physical safety of students and staff include:

- Site representatives to update skills, retrain, or train on a yearly basis for positions held on the safety team.
- Hold safety meetings to practice scenarios and get teacher input. Implement safety video for students as suggested by teachers.
- Staff members informed at safety meeting to call 911/Lockdown if witnessing emergency/danger.
- All visitors must check-in using the Raptor system. Any person without ID or visitor badge will be treated as an intruder.
- Provide substitutes with an Emergency folder with safety information and protocol.
- Assign parking lot duty during pick up and drop off times. Cones have been placed to designate areas for arrival and dismissal in an orderly fashion.
- Site administration to make arrangements for revised duty schedules and assignments to extend support inside and outside school gates.
- Administrator attended Suicide: prevention, intervention, postvention workshop.
- Safe School Ambassadors meet to discuss how to help or address concerns with peers and teachers. They also provide suggestions and ways to increase feeling safe at school.
- Ongoing checks for PA system in place to ensure communication in the event of emergency.
- Gates are secured and locked at all times. Ample supervision is provided at all times.

District Policies in Place:

- Williams Act Reporting
- Disaster Procedure Review

### SCHOOL SAFETY STRATEGY #3:

Bear Mountain implements Youth Development Strategies to promote meaningful student leadership and to PROMOTE A CLIMATE OF RESPECT, EMOTIONAL SAFETY AND A CARING COMMUNITY:

- AVID -Advancement Via Individual Determination is a school wide program that promotes student success skills and college and career readiness.
- School Implementation Plan: Math Focus K-6 increasing percentage of students at grade level or above using i-ready diagnostics and students meeting their typical growth goals. ELA Focus: K through 3rd: Reading Fluency using 95% program, 3rd through 6th: i-Ready Reading Improvement, and

3rd through 6th will meet their i-Ready Reading Typical Growth goal. TK Math Focus: Using Core Growth and Grade Level Assessment, 80% of students will be able to count to 20, identify and write numbers 1-10. TK ELA Focus: Using Benchmark, Core Growth and Grade Level Assessments, 80%

of students will be able to recognize and say the name and sound for all the letters of the alphabet.

- Safe School Ambassadors(SSA)/SOAR Patrol is a student-based program that instills leadership skills on campus and promotes a safe school climate by reducing acts of bullying and unwanted behaviors.
- Two School Social Workers (SSW) are on-site 5 days a week to provide case managing, counseling, and build social skills among students.

- Positive Behavior Intervention Support is a school wide program to increase school pride, positive behaviors, and respectful relationships.
- K Kids program promotes saying “No” to drugs, alcohol, and tobacco. Students learn about healthy lifestyles and develop leadership skills.
- Safe School Ambassadors help report potential virtual problems among students.
- AVID college going culture is promoted via student activities such as Career Day, College going banners, Student Success Skills, AVID family workshops, and individual academic writing goals.
- SSA students promote a welcoming school environment by welcoming students, greeting others, and monitor playgrounds using SSA skills. SSA students make others feel welcome by inviting them to join in a group and give compliments to support and praise behaviors.
- PBIS activities to teach respect, kindness, safety, and respectful relationships.
- SOAR Class Compliment charts are implemented school wide to encourage students to use and promote positive behavior and follow rules.
- Our K-Kids students help to maintain a clean school campus, support and plan activities for October, Red Ribbon Week, Anti-Bullying Week, collect food and distribute to needy families. The culminating activity would be to go on a fieldtrip to celebrate successes and build bonds.

#### ADDITIONAL:

- PBIS SOAR Points Incentives via PBIS Rewards
- Red Ribbon Week
- Anti-bully Week
- No Name Calling Week- January
- Random Acts of Kindness Week- February
- Safe School Ambassador Program
- School Leadership Team
- Announcements-Weekly Bulletin
- Attendance Rewards/Incentives
- Classroom Awards
- Parenting class offered to all parents interested in improving their parenting skills.
- Perfect Attendance Awards
- Afterschool Sports – Basketball, Flag football, Soccer, Volleyball
- Afterschool Clubs
- Oral Language Program
- Battle of The Books
- Gifted and Talented Education Program
- Safe School Ambassador Program

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

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

1. A physical injury or death inflicted by other than accidental means on a child by another person
2. Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code 11165.1
3. Neglect of a child as defined in Penal Code 11165.2
4. Willful harming or injuring of a child or the endangering of the person or health of a child as defined in Penal Code 11165.3
5. Unlawful corporal punishment or injury 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 employment (Penal Code 11165.5, 11165.6)
3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be legally privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, for purposes of self-defense, or to obtain weapons or other dangerous objects within the control of a student (Education Code 49001)
5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by a student (Education Code 49001)
6. Homelessness or classification as an unaccompanied minor (Penal Code 11165.15)

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

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 the person's training and experience, to suspect child abuse or neglect. However, reasonable suspicion does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect. (Penal Code 11166)

#### Reportable Offenses

A mandated reporter shall make a report using the procedures provided below whenever, acting in a professional capacity or within the scope of employment, the mandated reporter 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 a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on evidence of severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the appropriate agency. (Penal Code 11165.9, 11166.05, 11167)

Any district employee who reasonably believes to have 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 against a victim who is a child under age 14 shall notify a peace officer. (Penal Code 152.3, 288)

#### Responsibility for Reporting



The reporting duties of mandated reporters 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, the report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report. (Penal Code 11166)

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

Any person not identified as a mandated reporter who has knowledge of or observes a child whom the person 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 practicable after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial 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 county welfare department. (Penal Code 11165.9, 11166)

Such reports shall be made to the following agency(ies):

Kern County Department of Human Services  
100 E. California Avenue Bakersfield, CA 93307  
661-631-6011/661-631-6568  
(phone number)/(fax number)

When the initial 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 knowing or observing the information concerning the incident, the mandated reporter shall prepare and either send, fax, or electronically transmit to the appropriate agency a written follow-up report, which includes a completed California Department of Justice (DOJ) form (BCIA 8572). (Penal Code 11166, 11168)

The DOJ form may be obtained from the district office or other appropriate agencies, such as the police department, sheriff's department, or county probation or welfare department.

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

The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter

- a. The child's name and address, present location, and, where applicable, school, grade, and class
- b. The names, addresses, and telephone numbers of the child's parents/guardians
- c. The name, address, telephone number, and other relevant personal information about the person(s) who might have abused or neglected the child
- d. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information

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

The mandated reporter may give to an investigator from an agency investigating the case, including a licensing agency, any information relevant to an incident of child abuse or neglect or to a report made for serious emotional damage pursuant to Penal Code 11166.05. (Penal Code 11167)

### 3. Internal Reporting

The mandated reporter shall not be required to disclose the mandated reporter's identity to a supervisor, the principal, or the Superintendent or designee. (Penal Code 11166)

However, employees reporting child abuse or neglect to an appropriate agency are encouraged, but not required, to notify the principal as soon as possible after the initial telephone report to the appropriate agency. When so notified, the principal shall inform the Superintendent or designee.

The principal so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and administrative regulation. At the mandated reporter's request, the principal may assist in completing and filing the necessary forms.

Reporting the information to an employer, supervisor, 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

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

The Superintendent or designee shall use the online training module provided by the California Department of Social Services (CDSS). (Education Code 44691)

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

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

In addition, at least once every three years, school personnel may receive training in the prevention of child abuse, including sexual abuse, on school grounds, by school personnel, or in school-sponsored programs. (Education Code 44691)

## Victim Interviews by Social Services

Whenever CDSS or another government agency is investigating suspected child abuse or neglect that occurred within the child's home or out-of-home care facility, the student may be interviewed by an agency representative during school hours, on school premises. The Superintendent or designee shall give the student the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the student. (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 the person of the following requirements prior to the interview: (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 the child 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, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. (Education Code 48906)

## Parent/Guardian Complaints

Upon request, the Superintendent or designee shall provide parents/guardians with procedures for reporting suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is not English, such procedures shall be in their primary language and, when communicating orally regarding those guidelines and/or procedures, an interpreter shall be provided.

To file a complaint against a district employee or other person suspected of child abuse or neglect at a school site, parents/guardians may file a report by telephone, in person, or in writing with any appropriate agency identified above under "Reporting Procedures." If a parent/guardian makes a complaint about an employee to any other employee, the employee receiving the information shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency. The employee shall also file a report when obligated to do so pursuant to Penal Code 11166 using the procedures described above for mandated reporters.

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 3200-3205.

## Notifications

The Superintendent or designee shall provide to all new employees who are mandated reporters a statement that informs them of their status as mandated reporters, their reporting obligations under Penal Code 11166, and their confidentiality rights under Penal Code 11167. The district also shall provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167. (Penal Code 11165.7, 11166.5)

Before beginning employment, any person who will be a mandated reporter by virtue of the person's position shall sign a statement indicating knowledge of the reporting obligations under Penal Code 11166 and compliance with such provisions. The signed statement shall be retained by the Superintendent or designee. (Penal Code 11166.5)

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

The Superintendent or designee also shall 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 and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of the mandated reporter's professional capacity or outside the scope of employment. Any other person making a report shall not incur civil or criminal liability unless it can be proven that the person 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 timely report an incident of known or reasonably suspected child abuse or neglect, the mandated reporter may be guilty of a crime punishable by a fine and/or imprisonment. (Penal Code 11166) No employee shall be subject to any sanction by the district for making a report unless it can be shown that the employee knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11166, 11172)

#### Regulation ARVIN UNION SCHOOL DISTRICT

approved: August 17, 2021 Arvin, California

#### BP5141.4 Child Abuse Prevention and Reporting

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

##### State Description

5 CCR 3200-3205 Special education compliance complaints

CCP. 340.1 Damages suffered as result of childhood sexual abuse

Ed. Code 215.5 Student identification cards; inclusion of safety hotlines

Ed. Code 32280-32289.5 School safety plans

Ed. Code 33133.5 Posters of telephone number for students to report child abuse or neglect

Ed. Code 33195 Heritage schools; mandated reporters

Ed. Code 33308.1 Guidelines on procedure for filing child abuse complaints

Ed. Code 44252 Teacher credentialing

Ed. Code 44691 Staff development in the detection of child abuse and neglect

Ed. Code 44807 Teachers' duty concerning conduct of students

Ed. Code 48906 Notification when student released to peace officer

Ed. Code 48987 Dissemination of reporting guidelines to parents

Ed. Code 49001 Prohibition of corporal punishment

Ed. Code 51220.5 Parenting skills education

Ed. Code 51900.6 Sexual abuse and sexual assault awareness and prevention instruction

Pen. Code 11164-11174.3 Child Abuse and Neglect Reporting Act

Pen. Code 152.3 Duty to report murder, rape, or lewd or lascivious act

Pen. Code 273a Willfully causing unjustifiable pain or mental suffering of child; endangering life or health

Pen. Code 286 Crime of sodomy

Pen. Code 288 Crime of oral copulation

Pen. Code 288 Definition of lewd or lascivious act requiring reporting

Pen. Code 289 Crime of sexual penetration

W&I Code 15630-15637 Dependent adult abuse reporting

##### Federal Description

42 USC 11434a McKinney-Vento Homeless Assistance Act; definitions

##### Management Resources Description

California Department of Education Publication Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve

California Department of Education Publication Health Framework for California Public Schools, Kindergarten Through Grade Twelve  
Court Decision *Camreta v. Greene* (2011) 131 S.Ct. 2020

CSBA Publication *Why Schools Hold the Promise for Adolescent Mental Health*, Governance Brief, May 2019

Website CSBA District and County Office of Education Legal Services

Website California Department of Social Services, Information Resources Guide

Website California Department of Education, Child Abuse Prevention Training and Resources

Website U.S. Department of Health and Human Services, Child Welfare Information Gateway

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

Disaster Plan (See Appendix C-F)



## CIVIL DEFENSE AND DISASTER PLAN

THE FOLLOWING PLAN PROVIDES FOR THE DIRECTIONS TO BE TAKEN AT AUSD SCHOOL DURING ANY NATURAL OR MAN-MADE DISASTER. IT IS TO BE PROVIDED FOR EACH STAFF MEMBER THROUGH THE FORM OF INSERVICE, DISCUSSION AND IN WRITING. IT IS TO BE DRILLED AND PRACTICED BY THE STAFF AND STUDENTS UNDER THE DIRECTION OF THE PRINCIPAL.

### I. CHAIN OF COMMAND

PERSON ASSIGNMENT

PRINCIPAL AND VP COMMAND CENTER

SECRETARY MESSENGER CENTER

CLERK MESSENGER CENTER

SITE CUSTODIANS MAINTENANCE & SAFETY

CAFETERIA FOOD SERVICES

### II. EMERGENCY OPERATIONS ASSIGNMENTS

PERSON ASSIGNMENT REPORT TO

SECRETARY STAND BY TELEPHONE CAFETERIA & RADIO

CLERK STAND BY TELEPHONE CAFETERIA & RADIO

SITE CUSTODIANS TURN OFF NECESSARY GAS & CAFETERIA & RADIO  
WATER VALVES, ELECTRIC PANELS

PRINCIPAL/VP COORDINATION & COMMUNICATION CAFETERIA & RADIO

TEACHERS & AIDES FOLLOW REGULAR DISASTER DRILL PROCEDURES. IF STUDENTS ARE MOVED TO THE CAFETERIA, TEACHERS & AIDES MUST ACCOMPANY THEM.

### III. COMMUNICATIONS

DISTRICT OFFICE – 854-6500

SUPERINTENDENT – 854-6511, 747-8219 (CELL)

ASST. SUPERINTENDENT - 854-6512, 428-8558 (CELL)

CBO – 854-6507, 599-7239 (CELL)

DIRECTOR, M.O.T. - 854-6588, 706-4344 (CELL)

SUPERVISOR, TRANSPORTATION & SAFETY – 854-6565, 903-0871 (CELL)

DIRECTOR, FOOD SERVICES - 854-6543

DISTRICT NURSE – 854-6500 x 405

DISTRICT PSYCHOLOGIST – 854-6534

#### IV. SPECIFIC CONSIDERATIONS

##### AIR POLLUTION

WHEN THE SCHOOL IS NOTIFIED OF SEVERE AIR POLLUTION, THE CHILDREN WILL BE KEPT IN THE BUILDING. THE SCHOOL WILL BE CLOSED ONLY IF NOTIFICATION IS RECEIVED FROM THE SUPT. OR DESIGNEE.

##### BOMB THREAT

IN THE EVENT OF A BOMB THREAT THE FIRE ALARM WILL BE IMMEDIATELY ACTIVATED AND THE BUILDING EVACUATED. THE POLICE DEPT. WILL BE NOTIFIED. ALL CHILDREN WILL REMAIN WITH THEIR TEACHERS ON THE PLAYGROUND OR OTHER DESIGNATED AREA UNTIL IT IS DECLARED SAFE TO RE-ENTER THE BUILDING BY THE PRINCIPAL.

##### CAMPUS DISORDER

IF A SERIOUS CAMPUS DISORDER OCCURS IMMEDIATELY NOTIFY THE OFFICE STAFF. THE OFFICE STAFF WILL NOTIFY THE ASSISTANT SUPERINTENDENT'S OFFICE AND THE POLICE DEPARTMENT. KEEP ALL STUDENTS IN THEIR CLASSROOMS UNTIL THE DISORDER IS RESOLVED.

##### CHEMICAL ACCIDENT

"SHELTER IN PLACE" UNTIL STAFF AND STUDENTS CAN SAFELY EXIT THE BUILDINGS.

1. PRINCIPAL OR DESIGNEE SHALL NOTIFY THE SUPERINTENDENT AND CALL 911
2. DETERMINE THE NEED TO IMPLEMENT ACTION
3. STAFF AND STUDENTS TAKE SHELTER INSIDE BUILDINGS. DO NOT LEAVE THE BUILDING UNLESS INSTRUCTED TO DO SO BY FIRE/POLICE PERSONNEL
4. TAKE ROLL
5. EVACUATE THE BUILDING ONLY WHEN DECLARED SAFE BY AUTHORITIES.
6. RENDER FIRST AID AS NEEDED.

##### EARTHQUAKE

DURING AN EARTHQUAKE THE STUDENTS WILL TAKE SHELTER UNDER THEIR DESKS. IF THEY ARE IN THE CAFETERIA THEY WILL TAKE SHELTER UNDER THE TABLES. IF THEY ARE ON THE PLAYGROUND, THEY WILL BE INSTRUCTED TO LINE UP IN THEIR REGULAR FIRE DRILL POSITIONS. THEY WILL LEAVE THE BUILDING AFTER THE EARTHQUAKE AND NOT RE-ENTER UNTIL IT IS SAFE.

##### ENEMY ATTACK

IF NOTICE IS RECEIVED OF AN ENEMY ATTACK, FOUR SHORT BUZZES WILL DECLARE A RED ALERT. THE CUSTODIANS WILL SHUT OFF THE GAS AND ELECTRICAL TERMINALS. HAVE THE CHILDREN TAKE COVER ON THE FLOOR ON THE SOUTH SIDE OF THE CLASSROOMS. IF ON THE YARD AN ANNOUNCEMENT WILL BE MADE OVER THE INTERCOM TO ENTER THE CLASSROOMS AND THEN TAKE COVER ON THE FLOOR, AWAY FROM THE WINDOWS. THEY WILL REMAIN IN THE CLASSROOMS UNTIL IT IS DECLARED SAFE TO LEAVE. IF/WHEN PARENTS ARRIVE FOLLOW RELEASE PROCEDURES.

##### EXPLOSION

WHEN AN EXPLOSION OCCURS EVACUATE THE BUILDING. OFFICE STAFF WILL CONTACT THE FIRE DEPARTMENT AND NOTIFY THE SUPERINTENDENT.  
IF CHILDREN ARE INJURED 911 WILL BE UTILIZED AND AN AMBULANCE DISPATCHED.

##### FIRE

EVACUATE THE BUILDING IN FIRE DRILL PROCEDURE. OFFICE STAFF WILL CONTACT THE FIRE DEPARTMENT AND NOTIFY THE SUPERINTENDENT.

##### FLOODING

WHEN FLOODING IS TO OCCUR STUDENTS WILL BE TRANSPORTED TO AN AREA DESIGNATED BY KERN COUNTY EMERGENCY SERVICES. THE DISTRICT FLOODING PLAN WILL BE IN EFFECT.

IV. IF CHILDREN ARE TO REMAIN AT SCHOOL FOR AN EXTENDED TIME THE FOLLOWING PROCEDURE WILL BE USED.  
ALL CLASSIFIED AND CERTIFICATED PERSONNEL WILL REMAIN ON DUTY AS LONG AS THE CHILDREN REMAIN IN THE BUILDING. THEY WILL BE DISMISSED BY THE PRINCIPAL WHEN NOTICE IS RECEIVED TO DO SO FROM THE DISTRICT OFFICE AND/OR LAW ENFORCEMENT.

#### CARE OF THE CHILDREN

PLACEMENT OF CHILDREN IF IT BECOMES NECESSARY TO REMAIN OVERNIGHT AT SCHOOL.

GRADES K-3 PRIMARY CHILDREN WILL REMAIN WITH THE REGULAR CLASSROOM TEACHER.

GRADES 4-8 WHEN SAFE TO DO SO, TEACHERS WILL PARTNER & SEPARATE STUDENTS BY GENDER AND COORDINATE SLEEPING ARRANGEMENTS.

#### USE OF LAVATORY FACILITIES

TEACHERS WILL ASSIST WITH ESCORTING STUDENTS IN GROUPS OF (4) FOUR WHEN SAFE TO DO SO AS NEEDED. PARTNER WITH ANOTHER TEACHER TO SUPERVISE STUDENTS AT ALL TIMES.

#### WATER

IF WATER IS TO BE CONSERVED, HAVE THE CAFETERIA MANAGER FILL ALL AVAILABLE CONTAINERS WITH WATER.

#### FOOD

THE CAFETERIA MANAGER WILL PROVIDE A LIGHT DINNER IF NECESSARY. FOOD WILL BE SERVED IN THE CAFETERIA OR IN THE CLASSROOMS AS NEEDED.

#### PARENTS

INFORM PARENTS OF PROCEDURES FOR REQUEST AND RELEASE. IN ANY EMERGENCY OR DISASTER SITUATION USE GOOD COMMON SENSE.

**\*\*SEE CAMPUS DISORDER FOR SHOOTINGS/SNIPERS, AIRPLANE CRASH, POWER OUTAGES OR SEVERE WEATHER CONDITIONS.**

#### VI. EMERGENCY EVACUATION OF SCHOOL SITE

(IT MAY BE NECESSARY TO EVACUATE THE SCHOOL SITE FOR REASONS OTHER THAN A FLOOD, IN WHICH YOU WOULD EVACUATE ONLY TO HIGHER GROUND. THOSE REASONS MIGHT BE A CHEMICAL ACCIDENT, A BOMB THREAT, NEIGHBORHOOD DISORDER OR VIOLENCE, AN EARTHQUAKE, EXPLOSION, FIRE OR A FALLEN AIRCRAFT. ) IF DIRECTED TO EVACUATE BY THE SUPERINTENDENT OR FIRE/POLICE AUTHORITIES AT THE SCENE WE WILL REFER TO OUR PLAN, AND NOTIFY TRANSPORTATION IMMEDIATELY. SCHOOLS WILL EVACUATE TO THEIR DESIGNATED EVACUATION SITES UNLESS NOTIFIED OTHERWISE.

\*In the 2018-2019 school year, Arvin Union School District began transitioning to the Standard Respond Protocol (SRP) from the I Love You Guys Foundation into the safety plan procedures. Within the SRP, are four foundational protocols including lockdown, lockdown, evacuate and shelter.

Each school site will introduce a protocol and its procedures to the staff members with the implementation of the videos and handouts and will have full implementation in the school year 19-20 and adopted the updated Standard Response Protocols in 2023.

#### EMERGENCY RESPONSE PROCEDURES

Site specific response procedures should be inserted for the following:

1. Lockdown (SRP- Lockdown)
2. Evacuation (SRP- Evacuate)
3. Drive-By Shooting (SRP- Lockdown)
4. Unarmed Intruder (SRP- Lockdown)
5. Shelter in Place (SRP- Shelter)
6. Student Walk Out (SRP- Shelter)
7. Fire Drills and Fires (SRP- Evacuate)

8. Earthquake Drill and Earthquake (SRP- Evacuate)
9. Bomb Threat (SRP- Evacuate)

Each procedure should contain the following elements:

1. Code designation
  - a. Verbal: Lockdown, Evacuation, Fire, etc.
  - b. Bell signal (If any)
2. Description of incidents that will trigger the code
3. Description of action to be taken by administration, teachers, students and Crisis Response Team
4. Procedure and signal to rescind code

#### ARVIN UNION SCHOOL DISTRICT 2-WAY RADIO PROCEDURES

IN CASE OF A BOMB THREAT, DO NOT ACTIVATE THESE RADIOS, AS THE FREQUENCY MAY ACTIVATE THE BOMB.

Our district system is licensed and monitored by the Federal Communications Commission for school business use. In an emergency, effective communication is crucial. Follow these guidelines for radio use:

- Only one signal can be on the frequency at a time. Designate your signal channel to be used in case of emergency only. Be sure to monitor the system before transmitting.
- Minimize transmissions. Keep sentences short.
- Speak slowly, clearly, within two inches of the radio.
- Use clear "sign-off" terms.
- During normal use, use only the channel assigned to your school.

#### STUDENT WELLNESS TEAMS

Objective:

SAFE SCHOOLS/HEALTHY STUDENTS is a Federal initiative of persons whose mission is to develop and maintain programs and intra/inter agency collaborations that promote physical, mental, and social health in our students with the goal of promoting educational success.

The objective of Student Wellness Teams is to coordinate the care of students who have been recently evaluated for and/or held on Welfare and Institutions Code 5150 status.

Students will:

- Have a Student Wellness Plan (Safety, Mental Health and, when appropriate, Educational Plan) developed after a 5150 assessment
- When appropriate, participate in the Student Wellness Team Meeting

Parents will:

- Participate in the Student Wellness Team Meeting

Staff will:

- Follow 5150 Procedure Checklist and Flow Chart (Attachments 1, 2)
- Minimally include Parent, Student, Site Administration representative, and School Psychologist on Student Wellness Team. (May also include: Student Assistance Program therapist, Clinica Sierra Vista, Nurse, Teacher, Counselor, School Social Worker, Mental Health Worker, SRO, private provider and/or others.)
- Develop Student Wellness Plans collaboratively
- Complete Student Wellness Plan (Attachment 3) and distribute to appropriate individuals
- Keep all Student Wellness Team information confidential
- Utilize appropriate release of information forms

- Collaboratively decide when to end the Student Wellness Plan
- Provide feedback to site Psychologist on efficacy of Student Wellness Team

## STUDENT WELLNESS TEAM CONCEPT

Student Wellness Teams are responsible to the Site Principal/Administrative Designee for coordinating safety/wellness/education plans for students who have been or are at risk for WI Code 5150 status designation.

The School Site collaboratively determines how the Student Wellness Team operates, keeping at the forefront adherence to State and Federal confidentiality laws, professional scope of practice, ethics, and best practices guidelines.

Minimally, Student Wellness Teams include Site Administration, the Psychologist, the student, and the student's parent(s)/guardian(s). Others may be School Nurses, School Counselors, School Social Workers, Student Assistance Program therapists, Mental Health Workers (County/ contracted), School Resource Officer and/or other Law Enforcement personnel, and private providers.

The SW Team may schedule meetings as needed after a student has been assessed by the Student Threat Assessment Team (STAT) for 5150. The meetings do not have to be formal, but must be documented on the Student Wellness Plan. The plan is intended to be short-term and for the acute situation only.

Roles and responsibilities will be determined by the Site Administration. The Professional completing the Assessment of High Risk Areas form will be the contact person for the Kern County Mental Health Team until the Student Wellness Team meets and determines who the contact (case manager) will be. Kern County Mental Health and/or School Resource Officer will contact Site Admin when student is released, provided a valid release has been signed.

EMERGENCY RESPONSE PROCEDURES - see attachment = AUSD SAFETY PROCEDURES/Standard Response Protocol

Site 5150 files will be maintained by Site Administration or designee.

Student Wellness Teams will report concerns about processes and about efficacy of the Team to the Director of Student Services, Rebecca Ruiz.

In addition, there is an Emergency Plan for Students with Special Needs and 5150 Threat Assessment Forms (see attachment)

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

Coordination of the use of school buildings for emergency shelters should be coordinated through the office of the Superintendent of the Arvin Union School District including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies.

### **(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines**

#### **Definitions**

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

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Board of Trustees for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students

3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910

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

## Notice of Regulations

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

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

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows and in the sections "Additional Grounds for Suspension and Expulsion: Grades 4-12" and "Additional Grounds for Suspension and Expulsion: Grades 9-12" below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code 48900(a) and (t))
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b))
3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c))
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant (Education Code 48900(d))
5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
7. Stole or attempted to steal school property or private property (Education Code 48900(g))
8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing prescription products (Education Code 48900(h))
9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))
11. Knowingly received stolen school property or private property (Education Code 48900(l))
12. Possessed an imitation firearm (Education Code 48900(m))

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

13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))
  14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code 48900(o))
  15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))
  16. Engaged in, or attempted to engage in, hazing (Education Code 48900(q))
- Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events. (Education Code 48900(q))

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

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

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



Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. Cyber sexual bullying does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

Electronic act means the creation or transmission originated on or off the school site by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication including, but not limited to: (Education Code 48900(r))

a. A message, text, sound, video, or image

b. A post on a social network Internet web site, including, but not limited to, posting to or creating a burn page or creating 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, skill, and judgment in conduct for a person of the student's age, or for a person of the student's age and disability. (Education Code 48900(r))

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

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

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

#### Additional Grounds for Suspension and Expulsion: Grades 4-12

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

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

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

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

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

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

#### Additional Grounds for Suspension and Expulsion: Grades 9-12

Any student in grades 9-12 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

#### Suspension from Class by a Teacher

A teacher may suspend a student from class for the remainder of the day and the following day for any of the acts specified in Education Code 48900 and listed as items #1-18 under "Grounds for Suspension and Expulsion: Grades K-12" above or for disruption or willful defiance at any grade level, including grades K-8. (Education Code 48910)

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

As soon as possible after the teacher decides to suspend the student, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension.

A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code 48910)

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

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

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

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

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

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

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

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

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

#### Length of Suspension

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

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

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

## Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

1. **Informal Conference:** Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, including the other means of correction that were attempted before the suspension as required pursuant to Education Code 48900.5, and the evidence against the student, and shall be given the opportunity to present the student's version and evidence. (Education Code 48911)

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Suspension by the Board

The Board may suspend a student for any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," and "Additional Grounds for Suspension and Expulsion: Grades 9-12" above and within the limits specified under "Suspension by Superintendent, Principal, or Designee" above. (Education Code 48912)

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

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

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

#### On-Campus Suspension

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

1. The on-campus suspension classroom shall be staffed in accordance with law.

2. The student shall have access to appropriate counseling services.

3. The on-campus suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

The student shall be responsible for contacting the student's teacher(s) to receive assignments to be completed in the supervised suspension classroom.

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

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

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

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.

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

2. Possession of any knife or other dangerous object of no reasonable use to the student

3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11058, except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication or other medication prescribed by a physician

#### 4. Robbery or extortion

#### 5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

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

#### Student's Right to Expulsion Hearing

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

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

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

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

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

#### Stipulated Expulsion

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

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

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

#### Rights of Complaining Witness

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

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

1. Receive five days' notice of the scheduled testimony at the hearing
2. Have up to two adult support persons present at the hearing at the time the witness testifies
3. Have a closed hearing during the time the witness 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).

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 adviser

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

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

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

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

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

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

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

#### Conduct of Expulsion Hearing

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

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

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to testify 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, a videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

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



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

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

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(l))

4. Presentation of Evidence: Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," and "Additional Grounds for Suspension and Expulsion: Grades 9-12" above. (Education Code 48918(h))

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

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

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

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during the 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 who is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
- i. The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

ii. 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 the complaining witness may leave the hearing room.

iii. 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 normal school hours, if there is no good cause to take the testimony during other hours
- c. Permit one of the support persons to accompany the complaining witness to the witness stand

6. Decision: The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from school, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

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

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

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

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

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

#### Final Action by the Board

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

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

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

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

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

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

#### Written Notice to Expel

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," or "Additional Grounds for Suspension and Expulsion: Grades 9-12" (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

#### Decision to Suspend Expulsion Order

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

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

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

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," or "Additional Grounds for Suspension and Expulsion: Grades 9-12" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)

6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))
7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code 48917)
- Appeal

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

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

#### Notification to Law Enforcement Authorities

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

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

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

#### Placement During Expulsion

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

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

3. Not housed at the school site attended by the student at the time of suspension

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

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

#### Readmission After Expulsion

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

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

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

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

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

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

6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

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

#### Maintenance of Records

The district shall maintain a record of each suspension and expulsion, including its specific cause(s). (Education Code 48900.8)

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

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

#### Policy ARVIN UNION SCHOOL DISTRICT

Suspension and Expulsion/Due Process BP 5144.1

Revised July 21, 2020 Arvin CA

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

#### State Description

CCP. 1985-1997 Production of evidence; means of production

Civ. Code 47 Privileged communication

Civ. Code 48.8 Defamation liability

Ed. Code 17292.5 Program for expelled students

Ed. Code 1981-1981.5 Enrollment of students in community school

Ed. Code 212.5 Sexual harassment

Ed. Code 233 Hate violence

Ed. Code 32260-32262 Interagency School Safety Demonstration Act of 1985

Ed. Code 35145 Open board meetings

Ed. Code 35146 Closed sessions regarding suspensions

Ed. Code 35291 Rules (for government and discipline of schools)

Ed. Code 35291.5 Rules and procedures on school discipline

Ed. Code 48645.5 Former juvenile court school students; enrollment

Ed. Code 48660-48666 Community day schools

Ed. Code 48853.5 Foster youth  
 Ed. Code 48900-48927 Suspension and expulsion  
 Ed. Code 48950 Speech and other communication  
 Ed. Code 48980 Parent/Guardian notifications  
 Ed. Code 49073-49079 Privacy of student records  
 Ed. Code 52052 Numerically significant student subgroups  
 Ed. Code 52060-52077 Local control and accountability plan  
 Ed. Code 64000-64001 Consolidated application  
 Ed. Code 8239.1 Prohibition against expulsion of preschool student  
 Gov. Code 11455.20 Contempt  
 Gov. Code 54950-54963 The Ralph M. Brown Act  
 H&S Code 11014.5 Drug paraphernalia  
 H&S Code 11053-11058 Standards and schedules  
 Lab. Code 230.7 Employee time off to appear in school on behalf of a child  
 Pen. Code 240 Assault defined  
 Pen. Code 241.2 Assault fines  
 Pen. Code 242 Battery defined  
 Pen. Code 243.2 Battery on school property  
 Pen. Code 243.4 Sexual battery  
 Pen. Code 245 Assault with deadly weapon  
 Pen. Code 245.6 Hazing  
 Pen. Code 261 Rape defined  
 Pen. Code 266c Unlawful sexual intercourse  
 Pen. Code 286 Sodomy defined  
 Pen. Code 288 Lewd or lascivious acts with child under age 14  
 Pen. Code 288a Oral copulation; defined  
 Pen. Code 289 Penetration of genital or anal openings  
 Pen. Code 31 Principal of a crime; defined  
 Pen. Code 417.27 Laser pointers  
 Pen. Code 422.55 Definition of hate crime  
 Pen. Code 422.6 Crimes; harassment  
 Pen. Code 422.7 Aggravating factors for punishment  
 Pen. Code 422.75 Enhanced penalties for hate crimes  
 Pen. Code 626.10 Dirks, daggers, knives, razors, or stun guns  
 Pen. Code 626.2 Entry upon campus after written notice of suspension or dismissal without permission  
 Pen. Code 626.9 Gun-Free School Zone Act of 1995  
 Pen. Code 868.5 Supporting person; attendance during testimony of witness  
 W&I Code 729.6 Counseling  
 Federal Description  
 18 USC 921 Definitions; firearms and ammunition  
 20 USC 1415(K) Placement in alternative educational setting  
 20 USC 7961 Gun-Free Schools Act  
 42 USC 11432-11435 Education of homeless children and youths

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

To notify teachers of suspensions as they occur during the school year, the following process is used:

1. Suspensions are reported to each teacher as soon as student has been suspended.
2. Teachers are advised about the confidential nature of the data.
3. Suspension reports are filed in the student's cum and a copy is sent to District Office.
4. Teachers will receive an email from School Innovations & Achievement (SIA) with students suspension history.

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

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

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

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

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

#### **(E) Sexual Harassment Policies (EC 212.6 [b])**

Board Policy Manual

Arvin Union School District

Policy 5145.3: Nondiscrimination/Harassment Status: ADOPTED

Original Adopted Date: 11/15/2016 | Last Revised Date: 11/14/2023 | Last Reviewed Date: 11/14/2023

This policy shall apply to all acts constituting unlawful discrimination or harassment related to school activity or to school attendance occurring within a district school, to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school, and to all acts of the Governing Board and the Superintendent in enacting policies and procedures that govern the district.

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

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

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



Because unlawful discrimination may occur when disciplining students, including suspension and expulsion, the Superintendent or designee shall ensure that staff enforce discipline rules fairly, consistently and in a non-discriminatory manner, as specified in Board Policy and Administrative Regulation 5144 - Discipline, Board Policy and Administrative Regulation 5144.1 Suspension and Expulsion/Due Process, and Administrative Regulation 5144.2 - Suspension and Expulsion/Due Process (Students With Disabilities).

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

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's website in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation. (Education Code 234.1, 234.6)

The Superintendent or designee shall provide training and/or information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The

Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program.

The Superintendent or designee shall report the findings and recommendations to the Board after each review.

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

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

Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

All allegations of unlawful discrimination in district programs and activities shall be brought, investigated, and resolved in accordance with Board Policy 1312.3 - Uniform Complaint Procedures.

#### Record-Keeping

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

#### Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

#### State

#### Description

5 CCR 432 Student records

5 CCR 4600-4670 Uniform complaint procedures

5 CCR 4900-4965 Nondiscrimination in elementary and secondary educational



programs receiving state or federal financial assistance  
Civ. Code 1714.1 Liability of parent or guardian for act of willful misconduct by

a minor

Ed. Code 200-262.4 Prohibition of discrimination  
Ed. Code 48900.3 Suspension or expulsion for act of hate violence  
Ed. Code 48900.4 Suspension or expulsion for harassment, threats, or

intimidation

Ed. Code 48904 Liability of parent/guardian for willful student misconduct  
Ed. Code 48907 Exercise of free expression; time, place and manner rules and

regulations

Ed. Code 48950 Speech and other communication  
Ed. Code 48985 Notices to parents in language other than English  
Ed. Code 49020-49023 Athletic programs  
Ed. Code 49060-49079 Student records  
Ed. Code 51204.5 Social sciences instruction; contributions of specified groups  
Ed. Code 51500 Prohibited instruction or activity  
Ed. Code 51501 Nondiscriminatory subject matter  
Ed. Code 60010 Instructional materials; definition  
Ed. Code 60040-60052 Requirements for instructional materials  
Gov. Code 11135 Prohibition of discrimination  
Pen. Code 422.55 Definition of hate crime  
Pen. Code 422.6 Crimes; harassment  
Federal Description  
20 USC 1681-1688 Title IX of the Education Amendments of 1972;

discrimination based on sex

28 CFR 35.107 Nondiscrimination on basis of disability; complaints  
29 USC 794 Rehabilitation Act of 1973; Section 504  
34 CFR 100.3 Prohibition of discrimination on basis of race, color or

national origin

34 CFR 104.7 Section 504; Designation of responsible employee and

adoption of grievances procedures

34 CFR 104.8 Notice of Nondiscrimination on the Basis of Handicap  
34 CFR 106.45 Grievance process for formal complaints of sexual harassment

34 CFR 106.8 Designation of coordinator; dissemination of policy, and adoption of grievance procedures  
34 CFR 110.25 Prohibition of discrimination based on age  
34 CFR 99.31 Disclosure of personally identifiable information  
42 USC 12101-12213 Americans with Disabilities Act  
42 USC 2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended  
42 USC 2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964  
42 USC 6101-6107 Age Discrimination Act of 1975

Management Resources	Description
34 CFR 106.30	Discrimination on the basis of sex; definitions

CA Office of the Attorney General  
Publication

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

California Department of Education  
Publication

California Longitudinal Pupil Achievement Data System  
(CALPADS) Update FLASH #158: Guidance for Changing a  
Student's Gender in CALPADS, July 2019

Court Decision *Donovan v. Poway Unified School District*, (2008) 167

Cal.App.4th 567

Court Decision *Flores v. Morgan Hill Unified School District*, (2003, 9th Cir.)

324 F.3d 1130

CSBA Publication Legal Guidance on Rights of Transgender and Gender  
Nonconforming Students in Schools, October 2022

U.S. DOE, Office for Civil Rights  
Publication

Resolution Agreement Between the Arcadia USD, US Dept  
of Ed, OCR, & the US DOJ, CRD (2013) OCR 09-12-1020,  
DOJ 169-12C-70

U.S. Dept. of Health & Human Services  
Publication

Guidance to Federal Financial Assistance Recipients  
Regarding Title VI Prohibition Against National Origin  
Discrimination Affecting Limited English Proficient Persons,  
August 2013

U.S. DOE & U.S. DOJ Civil Rights  
Divisions Pub

Dear Colleague Letter: Resource on Confronting Racial  
Discrimination in Student Discipline, May 2023

U.S. DOE Publication Guidance on Constitutionally Protected Prayer and Religious  
Expression in Public Elementary and Secondary Schools, May  
2023

U.S. DOE, Office for Civil Rights  
Publication

Enforcement of Title IX of the Education Amendments of  
1972 With Respect to Discrimination Based on Sexual  
Orientation and Gender Identity in Light of *Bostock v.*

Clayton County, June 2021

U.S. DOE, Office for Civil Rights  
Publication

Dear Colleague Letter: Addressing Discrimination Against  
Jewish Students, May 2023

U.S. DOE, Office for Civil Rights U.S. Department of Education Toolkit: Creating Inclusive and  
Publication Nondiscriminatory School Environments for LGBTQI+  
Students, June 2023

U.S. DOE, Office for Civil Rights  
Publication

Questions and Answers on the Title IX Regulations on Sexual  
Harassment, June 2022

U.S. DOE, Office for Civil Rights  
Publication

Supporting Students with Disabilities and Avoiding the  
Discriminatory Use of Student Discipline under Section 504  
of the Rehabilitation Act of 1973, July 2022

U.S. DOE, Office for Civil Rights  
Publication

Dear Colleague Letter: Race and School Programming,  
August 2023

U.S. DOE, Office for Civil Rights  
Publication

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

Website CSBA District and County Office of Education Legal Services

Website First Amendment Center

Website California Office of the Attorney General

Website California Safe Schools Coalition

Website CSBA

Website California Department of Education

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

Cross References

Code Description

0410 Nondiscrimination In District Programs And Activities

0415 Equity

0450 Comprehensive Safety Plan

0450 Comprehensive Safety Plan

0470 COVID-19 Mitigation Plan

1240 Volunteer Assistance

1240 Volunteer Assistance

1312.1 Complaints Concerning District Employees

Comprehensive School Safety Plan

1312.1 Complaints Concerning District Employees  
 1312.2 Complaints Concerning Instructional Materials  
 1312.2 Complaints Concerning Instructional Materials  
 1312.2-E PDF(1) Complaints Concerning Instructional Materials  
 1312.3 Uniform Complaint Procedures  
 1312.3 Uniform Complaint Procedures  
  
 1312.3-E PDF(1) Uniform Complaint Procedures  
 1312.3-E PDF(2) Uniform Complaint Procedures  
 1312.4 Williams Uniform Complaint Procedures  
 1312.4-E PDF(1) Williams Uniform Complaint Procedures  
 1312.4-E PDF(2) Williams Uniform Complaint Procedures  
 1313 Civility  
 1340 Access To District Records  
 1340 Access To District Records  
 3515.4 Recovery For Property Loss Or Damage  
 3515.4 Recovery For Property Loss Or Damage  
 3530 Risk Management/Insurance  
 3530 Risk Management/Insurance  
 3553 Free And Reduced Price Meals  
 3553 Free And Reduced Price Meals  
 3580 District Records  
 3580 District Records  
 4112.6 Personnel Files  
 4112.9 Employee Notifications  
 4112.9-E PDF(1) Employee Notifications  
 4118 Dismissal/Suspension/Disciplinary Action  
 4118 Dismissal/Suspension/Disciplinary Action  
 4119.21 Professional Standards  
 4119.21-E PDF(1) Professional Standards  
 4119.23 Unauthorized Release Of Confidential/Privileged Information  
 4131 Staff Development  
 4212.6 Personnel Files  
 4212.9 Employee Notifications  
 4212.9-E PDF(1) Employee Notifications  
 4218 Dismissal/Suspension/Disciplinary Action  
 4218 Dismissal/Suspension/Disciplinary Action  
 4219.21 Professional Standards  
 4219.21-E PDF(1) Professional Standards - Code Of Ethics  
 4219.23 Unauthorized Release Of Confidential/Privileged Information  
  
 4231 Staff Development  
 4312.6 Personnel Files  
 4312.9 Employee Notifications  
 4312.9-E PDF(1) Employee Notifications  
 4319.21 Professional Standards  
 4319.21-E PDF(1) Professional Standards  
 4319.23 Unauthorized Release Of Confidential/Privileged Information  
 4331 Staff Development  
 5000 Concepts And Roles  
 5030 Student Wellness  
 5030 Student Wellness  
 5111 Admission  
 5111 Admission  
 5113.1 Chronic Absence And Truancy  
 5113.1 Chronic Absence And Truancy

5113.12 District School Attendance Review Board  
5113.12 District School Attendance Review Board  
5116.2 Involuntary Student Transfers  
5125 Student Records  
5125 Student Records  
5125.1 Release Of Directory Information  
5125.1 Release Of Directory Information  
5125.3 Challenging Student Records  
5131 Conduct  
5131.2 Bullying  
5131.2 Bullying  
5131.5 Vandalism And Graffiti  
5132 Dress And Grooming  
5132 Dress And Grooming  
5132-E PDF(1) Dress And Grooming  
5137 Positive School Climate  
5138 Conflict Resolution/Peer Mediation  
5141.22 Infectious Diseases  
  
5141.22 Infectious Diseases  
5141.27 Food Allergies/Special Dietary Needs  
5141.27 Food Allergies/Special Dietary Needs  
5141.4 Child Abuse Prevention And Reporting  
5141.4 Child Abuse Prevention And Reporting  
5141.52 Suicide Prevention  
5141.52 Suicide Prevention  
5144 Discipline  
5144 Discipline  
5144.1 Suspension And Expulsion/Due Process  
5144.1 Suspension And Expulsion/Due Process  
5144.2 Suspension And Expulsion/Due Process (Students With

Disabilities)

5145.12 Search And Seizure  
5145.12 Search And Seizure  
5145.2 Freedom Of Speech/Expression  
5145.2 Freedom Of Speech/Expression  
5145.6 Parent/Guardian Notifications  
5145.6-E PDF(1) Parent/Guardian Notifications  
5145.7 Sexual Harassment  
5145.7 Sexual Harassment  
5145.71 Title IX Sexual Harassment Complaint Procedures  
5145.71-E PDF(1) Title IX Sexual Harassment Complaint Procedures  
5145.9 Hate-Motivated Behavior  
5146 Married/Pregnant/Parenting Students  
6142.1 Sexual Health And HIV/AIDS Prevention Instruction  
6142.1 Sexual Health And HIV/AIDS Prevention Instruction  
6142.8 Comprehensive Health Education  
6142.8 Comprehensive Health Education  
6143 Courses Of Study  
6143 Courses Of Study  
6144 Controversial Issues  
6144 Controversial Issues

6145 Extracurricular And Cocurricular Activities  
6145 Extracurricular And Cocurricular Activities

6145.2 Athletic Competition  
6145.2 Athletic Competition  
6153 School-Sponsored Trips  
6153 School-Sponsored Trips  
6153-E PDF(1) School-Sponsored Trips  
6159.4 Behavioral Interventions For Special Education Students  
6161.1 Selection And Evaluation Of Instructional Materials  
6161.1 Selection And Evaluation Of Instructional Materials  
6161.1-E PDF(1) Selection And Evaluation Of Instructional Materials  
6161.11 Supplementary Instructional Materials  
6163.1 Library Media Centers  
6163.4 Student Use Of Technology  
6163.4-E PDF(1) Student Use Of Technology  
6164.2 Guidance/Counseling Services  
6173.1 Education For Foster Youth  
6173.1 Education For Foster Youth  
7110 Facilities Master Plan

#### Board Policy Manual

Arvin Union School District

Policy 5145.7: Sexual Harassment Status: ADOPTED

Original Adopted Date: 11/15/2016 | Last Revised Date: 12/08/2020 | Last Reviewed Date: 12/08/2020

The Governing Board is committed to maintaining a safe school environment that is free from

harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. 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 students who feel that they are being or have been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who have experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact their teacher, the principal, the district's Title IX Coordinator, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 5145.71 - Title IX Sexual Harassment Complaint Procedures or BP/AR 1312.3 - Uniform Complaint Procedures, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 5145.71 concurrently meets the requirements of BP/AR 1312.3.

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

The Superintendent or designee shall inform students and parents/guardians of the district's sexual harassment policy by disseminating it through parent/guardian notifications, publishing it on the district's web site, and including it in student and staff handbooks. All district staff shall be trained regarding the 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

3. Encouragement to report observed incidents of sexual harassment even when the alleged 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. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and action shall be taken to respond to harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedures for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the district will implement supportive measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation

#### Disciplinary Actions

Upon completion of an investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy 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.

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

#### Record-Keeping

In accordance with law and district policies and regulations, 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.

#### Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

#### State Description

5 CCR 4600-4670 Uniform complaint procedures

5 CCR 4900-4965 Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance

Civ. Code 1714.1 Liability of parent or guardian for act of willful misconduct by

a minor

Civ. Code 51.9 Liability for sexual harassment; business, service and

professional relationships

Ed. Code 200-262.4 Prohibition of discrimination

Ed. Code 48900 Grounds for suspension or expulsion

Ed. Code 48900.2 Additional grounds for suspension or expulsion; sexual

harassment

Ed. Code 48904 Liability of parent/guardian for willful student misconduct  
Ed. Code 48980 Parent/Guardian notifications  
Ed. Code 48985 Notices to parents in language other than English  
Gov. Code 12950.1 Sexual harassment training  
Federal Description  
20 USC 1092 Definition of sexual assault  
20 USC 1221 Application of laws  
20 USC 1232g Family Educational Rights and Privacy Act (FERPA) of 1974  
20 USC 1681-1688 Title IX of the Education Amendments of 1972;

discrimination based on sex

34 CFR 106.1-106.82 Nondiscrimination on the basis of sex in education programs  
34 CFR 99.1-99.67 Family Educational Rights and Privacy  
34 USC 12291 Definition of dating violence, domestic violence, and stalking  
42 USC 1983 Civil action for deprivation of rights  
42 USC 2000d-2000d-7 Title VI, Civil Rights Act of 1964  
42 USC 2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended  
Management Resources Description  
Court Decision Gebser v. Lago Vista Independent School District, (1998) 524

U.S. 274

Court Decision Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473  
Court Decision Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d

736

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

629

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

1447

Court Decision Donovan v. Poway Unified School District, (2008) 167

Cal.App.4th 567

Court Decision Flores v. Morgan Hill Unified School District, (2003, 9th Cir.)

324 F.3d 1130

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

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

U.S. DOE, Office for Civil Rights  
Publication

Q&A on Campus Sexual Misconduct, September 2017



U.S. DOE, Office for Civil Rights  
Publication

Sexual Harassment: It's Not Academic, September 2008

U.S. DOE, Office for Civil Rights  
Publication

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

U.S. DOE, Office for Civil Rights  
Publication

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

U.S. DOE, Office for Civil Rights  
Publication

Dear Colleague Letter: Title IX Coordinators, April 2015  
Website CSBA District and County Office of Education Legal Services  
Website California Department of Education  
Website CSBA  
Website U.S. Department of Education, Office for Civil Rights

Cross References

Code Description

0410 Nondiscrimination In District Programs And Activities

0450 Comprehensive Safety Plan

0450 Comprehensive Safety Plan

1312.1 Complaints Concerning District Employees

1312.1 Complaints Concerning District Employees

1312.3 Uniform Complaint Procedures

1312.3 Uniform Complaint Procedures

1312.3-E PDF(1) Uniform Complaint Procedures

1312.3-E PDF(2) Uniform Complaint Procedures

1313 Civility

3515.4 Recovery For Property Loss Or Damage

3515.4 Recovery For Property Loss Or Damage

3530 Risk Management/Insurance

3530 Risk Management/Insurance

3580 District Records

3580 District Records

4117.7 Employment Status Reports

4118 Dismissal/Suspension/Disciplinary Action

4118 Dismissal/Suspension/Disciplinary Action

4119.11 Sexual Harassment

4119.11 Sexual Harassment

4131 Staff Development

4218 Dismissal/Suspension/Disciplinary Action

4218 Dismissal/Suspension/Disciplinary Action

4219.11 Sexual Harassment

4219.11 Sexual Harassment

Comprehensive School Safety Plan

4219.21 Professional Standards  
 4219.21-E PDF(1) Professional Standards - Code Of Ethics  
 4231 Staff Development  
 4317.7 Employment Status Reports  
 4319.11 Sexual Harassment  
 4319.11 Sexual Harassment  
 4319.21 Professional Standards  
 4319.21-E PDF(1) Professional Standards  
 5125 Student Records  
 5125 Student Records  
 5131 Conduct  
 5131.2 Bullying  
 5131.2 Bullying  
 5131.5 Vandalism And Graffiti  
 5132 Dress And Grooming  
 5132 Dress And Grooming  
 5132-E PDF(1) Dress And Grooming  
 5137 Positive School Climate  
 5138 Conflict Resolution/Peer Mediation  
 5141.4 Child Abuse Prevention And Reporting  
 5141.4 Child Abuse Prevention And Reporting  
 5141.52 Suicide Prevention  
 5141.52 Suicide Prevention  
  
 5144 Discipline  
 5144 Discipline  
 5144.1 Suspension And Expulsion/Due Process  
 5144.1 Suspension And Expulsion/Due Process  
 5144.2 Suspension And Expulsion/Due Process (Students With  
  
 Disabilities)  
  
 5145.2 Freedom Of Speech/Expression  
 5145.2 Freedom Of Speech/Expression  
 5145.3 Nondiscrimination/Harassment  
 5145.3 Nondiscrimination/Harassment  
 5145.6 Parent/Guardian Notifications  
 5145.6-E PDF(1) Parent/Guardian Notifications  
 5145.71 Title IX Sexual Harassment Complaint Procedures  
 5145.71-E PDF(1) Title IX Sexual Harassment Complaint Procedures  
 5145.9 Hate-Motivated Behavior  
 6142.1 Sexual Health And HIV/AIDS Prevention Instruction  
 6142.1 Sexual Health And HIV/AIDS Prevention Instruction  
 6142.8 Comprehensive Health Education  
 6142.8 Comprehensive Health Education  
 6145 Extracurricular And Cocurricular Activities  
 6145 Extracurricular And Cocurricular Activities  
 6145.2 Athletic Competition  
 6145.2 Athletic Competition  
 6163.4 Student Use Of Technology  
 6163.4-E PDF(1) Student Use Of Technology

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

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

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

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

In addition, the dress code shall not discriminate against students based on hair texture and protective hairstyles, including, but not limited to, braids, locks, and twists. (Education Code 212.1)

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

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

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

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

**Gang-Related Apparel**

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

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

**Uniforms**

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

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

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

Policy ARVIN UNION SCHOOL DISTRICT

Dress and Grooming Policy 5132

adopted: July 16, 2019 & revised December 10, 2019 Arvin, California

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State Description**

Ed. Code 212.1 Nondiscrimination based on race or ethnicity

Ed. Code 220 Prohibition of discrimination

Ed. Code 32280-32289.5 School safety plans

Ed. Code 35183 School dress code; uniforms

Ed. Code 35183.5 Sun-protective clothing

Ed. Code 48907 Exercise of free expression; time, place and manner rules and regulations

Ed. Code 49066 Grades; effect of physical education class apparel

**Management Resources Description**

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

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

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

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

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

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

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

Website CSBA District and County Office of Education Legal Services

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

Parent Handbook defines the procedures for safe ingress and egress of students as well as details regarding the nature and hours of campus supervision. Parents are informed of procedures for student drop-off and pick-up as well.

In addition, the principals' school newsletters provide frequent reminders about traffic and campus safety. At the beginning of each school year, school personnel take the time to discuss school rules and safety procedures including safe ingress and egress of students. The administrators frequently supervise the valet in the drop off zone near the parking lot and assist with student safety. Safe School Ambassadors greet students and assist families at the gate and within the school. Yard duty aides and teachers are assigned duty 15-30 minutes before and after school to provide both before and after school supervision. Staff members are vigilant about visitors on campus, and all school guests are required to sign in at the office and obtain a visitor's badge for purposes of identification. If a person's presence on campus is questioned, the police department is contacted.

**(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)**

**Component:**

Goal One: Decrease office referrals and bullying reports by 5% from 112 during the 2022-23 school year by enforcing school rules, policies, and procedures as measured by AERIES and the Bullying reporting forms.

**Element:**

- 1.1 Site staff will share expectations and basic school rules / routines with staff, parents, and children.
- 1.2 Instructional leaders will post, discuss, model, and role play rules and procedures so all students are aware of expectations, consequences, and rewards.
- 1.3 Decrease bullying as reported in student surveys through increased monitoring, attention to reporters, intervention, and implementation of Safe School Ambassadors.
- 1.4 Increase Staff communication with parents/staff regarding expectations of behavior/homework/academic performance.
- 1.5 Learning positions and student interaction strategies will be evident in all classrooms and after school programs.

**Opportunity for Improvement:**

Continue to implement SOAR Expectations, model positive behaviors, and provide clarity of consequences for unacceptable behaviors. In addition, communicate disciplinary actions to students when SOAR Expectations are not followed. Continue to implement rewards and consequences and have Safe School Ambassadors help with reporting and assisting students.

Objectives	Action Steps	Resources	Lead Person	Evaluation
1.1.,1.2,1.3,1.4,1.5 Share School Expectations:Focus on Academic Success, Classroom, Playground, Cafeteria, and hallway expectations, Uniform Requirements, Rewards, Consequence, Homework, Attendance	School wide programs and reminders throughout year	Computer Presentations Newsletters Translated notes	Kinder Round-up- Admin and Teachers Hawk Talk 2x- Admin Open House- Admin and Teachers Parent Conferences- Teachers Weekly Bulletins- School Staff Morning Announcements- Admin PBIS:SOAR Expectations- School Staff	Reduction in the number of office referrals as measured by AERIES
	State rules and provide examples and non-examples of proper behavior and academic expectations. School behavior matrix posted throughout the campus by zone and given to all parents during parent conference week and provided to all students in their planners.	SOAR Expectations SOAR Posters PowerPoints Implement PBIS PBIS Video- SOAR Way	Opening routines- School Staff Instructional Routines- School Staff SOAR Rules- Admin and Committee Bullying training for staff and students	Reduction in the number of office referrals as measured by the AERIES
	Discuss rewards and consequences	SOAR Rules Safe School Ambassador Training Manual SARB to ensure Attendance SOAR Tickets Warning Tickets	SOAR Committee/Admin Safe School Ambassadors/SOAR Patrol Opening Activities Student Success Facilitator Campus Supervisor	Data and tracking of number of students receiving recognition at awards assemblies and Feedback from Safe School Ambassadors/School Staff
	Provide school wide rewards for positive behavior	Incentive activities including Academic All Star, SOAR Tickets, SOAR Store, Student of the Month	Admin and staff	Tracking of number of students receiving recognition
	Ensure sufficient coverage, monitoring and enforcement of expectations in classrooms, hallways, cafeteria, and bathrooms during class, recess, lunch and transitions.	Staffing Duty Schedule Radios Bell Schedule Staff Vests Fanny Packs/Band Aids	Duty Schedule- Admin, Classroom teachers, duty staff, After School Staff	Observation from Safe School Ambassadors and School Staff/Input from parents and staff
	Ensure expectations are enforced with consistency	Communication with staff- regular meetings	All School Staff	Reduction in the number of office referrals as measured by the AERIES

Objectives	Action Steps	Resources	Lead Person	Evaluation
	Notifications to parents by classroom teacher following incident or behavior	Translated Classroom notes PBIS Rewards Phone calls ParentSquare App	Duty Schedule, Notes, phone calls and log kept by staff	Reduction in the number of office referrals/phone logs for discipline
	Continued misbehavior or severe infraction results in parent contact	AERIES Referral Reflection logs/circle	Admin, campus supervisor	Reduction in the number of office referrals as measured by the AERIES

**Component:**

Goal Two: Maintain site safety by continuing to maintain "great" standings as measured during Williams Act visit, self reporting FIT and completed work orders.

**Element:**

- 2.1 Staff to ensure monitoring of plant safety and student behavior.
- 2.2 Maintenance department, site staff, and students work together to recognize and remedy items in need of repair, cleaning, or replacement.
- 2.3 Complete routine facilities reviews including site review and police and fire inspections and comply with findings immediately.
- 2.4 Work with police department to firm up valet parking and drop off/loading zones.
- 2.5 Augment Emergency Response Systems/Drills

**Opportunity for Improvement:**

Maintain site safety by continuing to maintain "great" standings as measured during Williams Act visit, self reporting FIT and completed work orders.

Objectives	Action Steps	Resources	Lead Person	Evaluation
2.1 Monitoring	Staff on duty to monitor students. Staff on duty to monitor site.	Whistles/SOAR down Staff on duty Fanny Packs Radios Vests	Site Administration Staff	Observations from staff and Safe School Ambassadors
2.2 Upkeep	Identify and report health or facilities problems immediately. Assign Staff Remedy problem and report back Contest/recognition for staff/students who promote campus upkeep	Work Orders Email Radios Trash Cans	All staff Administrator MOT Staff Students	Observation and work orders to MOT
2.3 Formal Reviews	Complete scheduled facilities reviews. Complete scheduled emergency reviews. Follow Williams Act format for posted information and reporting site condition.	Checklist for completion Posted Williams Act Information and sharing at meetings	Administrator MOT Staff Staff	Observations, work orders and FIT
2.4 Safe Routes to School	Identify appropriate routes and entry points to school. Inform parents, staff and students. Support and enforce safe drop off and loading.	Flyers Newsletters Initial Meetings Cone Zone Speed bumps	Administration Arvin Police	Observation by Admin/ Input from parents and community/ Parent surveys
2.5 Emergency Response System-Standard Response Protocol Increase preparedness	Augment emergency routines, drills and ensure staff training on emergency procedures.	Disaster Drill/ SRP Procedures Lead Incident Team	Administration Lead Incident Team Site Staff	Reduction of time during drills and effectiveness of staff implementing procedures

**Component:**

Goal Three: 100% of parents and students will receive the Behavior Matrix Expectations that promote safety first in all areas of the campus as measured by sign in sheets from parent conferences.

**Element:**

- 3.1 Provide Behavior Matrix to parents at beginning of year in Handbook
- 3.2 Provide Behavior Matrix to parents during parent conference and get signed receipt that received it
- 3.3 Provide students with Behavior Matrix in student planners
- 3.4 Hawk Talk twice a year that reviews Behavior expectations that promote safety first



**Opportunity for Improvement:**

Encourage and promote parent involvement. Reminders messages and phone calls for parents to attend parent conferences. Continue to offer various methods of communication for conferences such as Zoom, phone calls, and in-person. Continue to offer night conferences for working parents.


Objectives	Action Steps	Resources	Lead Person	Evaluation
3.1 Provide Behavior Matrix to parents at the beginning of the school year in the Handbook.	Parents are provided the Handbook electronically by administrators and uploaded onto ParentSquare	Parent Handbook ParentSquare Application	Administrators	Monthly compliance verification form
3.2 Provide Behavior Matrix to parent during parent conference and get signed receipt that received it	Schedule conferences Photocopy sign-in sheets Teachers turn in sign-in sheets to administrators	Behavior Matrix Sign-in sheet/paper	Teachers and administrators	Sign-in sheet from parent/teacher conference
3.3 Provide students with Behavior Matrix in student planners	Purchase planners at the end of the year Teachers pass out planners the first week of school	Avid Planners	Teachers and administrators	End of year purchase order that planners were purchased
3.4 Hawk Talk twice a year that reviews Behavior Expectations that promote safety first	Create PowerPoint presentation Create presentation schedule	Computer, projector, PowerPoint presentation	Administrator and campus supervisor	Compliance form verification

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

Bear Mountain Elementary School Student Conduct Code

Voice Levels: 0-3	
0 – Silent	
1 – Whisper	
2 – Speaking Voice	
3 – Outdoor Voice	

## Hawk's S.O.A.R. BME's Expectation Matrix

	Classroom	Restroom	Office	Hallway	Library	Cafeteria	Playground
<b>S</b> <i>Safety First</i>	Treat others the way you want to be treated. Use kind & positive words Be polite	Quietly wait your turn Respect others privacy Stay in your space	Enter quietly Wait patiently for an adult Be polite	Be courteous and mindful of approaching adults & students Respect staff and other students Use appropriate language & voice	Wait patiently Be kind Use appropriate voice levels	Be polite to staff & peers Use appropriate voice levels	Follow directions & behave safely Be aware of your surroundings
<b>O</b> <i>Organized &amp; On Task</i>	Follow directions Listen attentively Actively participate	Wash hands Throw away your trash	Listen to office staff Quickly complete tasks or errands	Listen to staff Be in the right place at the right time	Listen attentively Ask questions Complete tasks	Clean up eating area Properly throw away all trash as directed	Be polite and respectful to staff & peers Use appropriate language
<b>A</b> <i>Accept Responsibility</i>	Complete work on time Be prepared & on time Stay focused in class Treat materials appropriately	Use restroom at recess and at lunch Keep it neat and clean for others Report issues or concerns	Speak clearly State your purpose Have a pass	Walk straight to destination Walk with a purpose	Keep shelves neat Handle books with care Use space savers	Stay in your place in line Keep your area clean	Take care of property Leave area clean
<b>R</b> <i>Respecting Self and Others</i>	Set high personal and academic goals Take ownership and pride in everything you do	Observe time limits Respect personal space	Use positive greetings Say "Thank You" after you have been helped	Walk quietly & directly to class Pick up litter when you see it	Remember when books are due & turn in books on time Hold them like you love them	Eat quietly Use good manners Clean up	Model positive behavior Use play equipment properly

**Conduct Code Procedures**

HAWKS WILL ALWAYS BE:

- Safe
- Organized and On task
- Accept Responsibility
- Respect Self and Others

## RULES AND EXPECTATIONS

SOAR Matrix of rules for all locations last updated 8/2022- SOAR Expectations are posted all around campus.

### 35291.

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

### 35291.5.

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

- (1) Parents.
- (2) Teachers.
- (3) School administrators.
- (4) School security personnel, if any.
- (5) For junior high schools and high schools, pupils enrolled in the school.

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

The final version of the rules and procedures on school discipline with attendant regulations may be adopted by a panel comprised of the principal of the school, or his or her designee, and a representative selected by classroom teachers employed at the school. It shall be the duty of each employee of the school to enforce the rules and procedures on school discipline adopted under this section.

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

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

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

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

The Governing Board is committed to providing a respectful, inclusive, and safe learning environment that protects students from discrimination, harassment, intimidation, bullying, or any other type of behavior that is motivated by hate.

Hate-motivated behavior is any behavior intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism motivated in part or in whole by bias or hostility toward the victim's real or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55.

The Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents in a timely manner when they occur.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote an environment where diversity is celebrated and hate-motivated behavior is not tolerated. Such collaborative efforts shall focus on the development of effective prevention strategies and response plans, provision of assistance to students affected by hate-motivated behavior, and/or education of students who have perpetrated hate-motivated acts.

The district shall provide students with age-appropriate instruction that:

1. Includes the development of social-emotional learning
2. Promotes an understanding, awareness, appreciation, and respect for human rights, human relations, diversity, and acceptance in a multicultural society
3. Explains the harm and dangers of explicit and implicit biases
4. Discourages discriminatory attitudes and practices
5. Provides strategies to manage conflicts constructively

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

When appropriate, students who engage in hate-motivated behavior shall be disciplined.

The Superintendent or designee shall provide staff with training that:

1. Promotes an understanding of diversity, equity, and inclusion
2. Discourages the development of discriminatory attitudes and practices
3. Includes social-emotional learning and nondiscriminatory instructional and counseling methods
4. Supports the prevention, recognition, and response to hate-motivated behavior
5. Raises the awareness and sensitivity of staff to potentially prejudicial and discriminatory behavior
6. Includes effective enforcement of rules for appropriate student conduct

Employees who engage in hate-motivated behavior shall be subject to disciplinary action, up to and including dismissal. Rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident shall be provided to students, staff, and parents/guardians.

This policy shall be posted in a prominent location on the district's web site in a manner that is readily and easily accessible to parents/guardians and students. (Education Code 234.6)

### Complaints

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, the staff member shall also contact law enforcement.

A student or parent/guardian who believes the student is a victim of hate-motivated behavior is encouraged to report the incident to a teacher, the principal, the district's compliance officer, or other staff member.

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

### BP 5145.9: Hate-Motivated Behavior

Original Adopted Date: 04/17/2007 | Last Revised Date: 08/17/2021 | Last Reviewed Date: 08/17/2021

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

### State Description

5 CCR 4600-4670 Uniform complaint procedures

5 CCR 4900-4965 Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance

Ed. Code 200-262.4 Prohibition of discrimination

Ed. Code 32280-32289.5 School safety plans

Ed. Code 48900.3 Suspension for hate violence

Ed. Code 48900.4 Suspension or expulsion for harassment, threats, or intimidation

Gov. Code 11135 Prohibition of discrimination

Pen. Code 422.55 Definition of hate crime

Pen. Code 422.6 Crimes; harassment

Federal Description

28 CFR 35.107 Nondiscrimination on basis of disability; complaints

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

34 CFR 104.7 Designation of responsible employee for Section 504

34 CFR 106.30 Discrimination on the basis of sex in education programs and activities; definitions

34 CFR 106.44 Recipient's response to sexual harassment

34 CFR 106.45 Grievance process for formal complaints of sexual harassment

34 CFR 106.8 Designation of responsible employee for Title IX

34 CFR 110.25 Prohibition of discrimination based on age

## **Safety Plan Review, Evaluation and Amendment Procedures**

The plan is revised annually to include up-to-date demographic data, current status and goals. The plan is reviewed by the Bear Mountain Elementary School Safety Committee and presented to the ELAC committee as well as the School Site Council for site approval. The plan is submitted to the Arvin Union School District Board of Education for district level approval and publication prior to March 1st yearly.

## Safety Plan Appendices

## Emergency Contact Numbers

### Utilities, Responders and Communication Resources

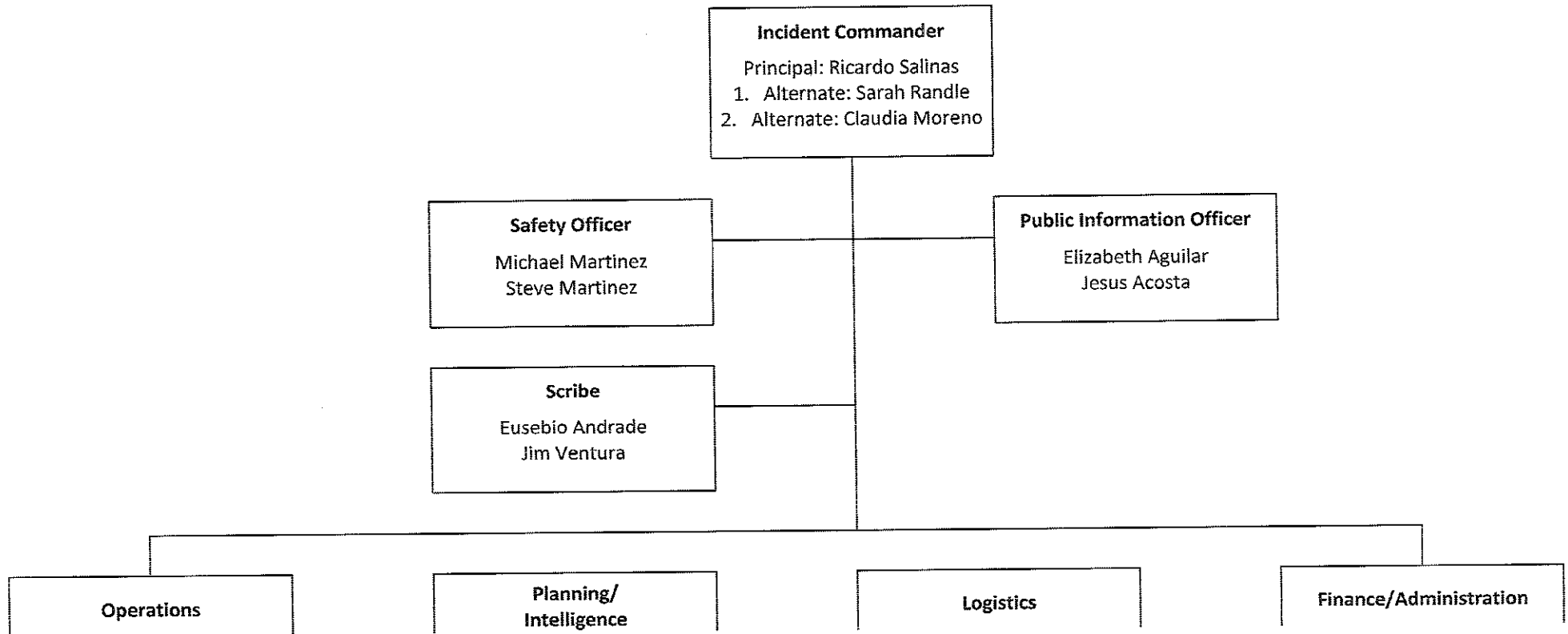
Type	Vendor	Number	Comments
Law Enforcement/Fire/Paramedic	Arvin Police Department	661-854-5583	24 hours a day
Law Enforcement/Fire/Paramedic	California Highway Patrol	661-396-6600	
Law Enforcement/Fire/Paramedic	Kern County Sheriffs Office	661-391-7500	
Law Enforcement/Fire/Paramedic	Arvin Fire Department	661-854-5517	
Public Utilities	PGE Electric & Gas	800-743-5000	
Public Utilities	Arvin Water	661-854-2127	
Emergency Services	911 - Emergency	911	
Local Hospitals	Kern Medical Center	661-326-2000	
Local Hospitals	Mercy Downtown	661-632-5000	
Local Hospitals	Memorial Hospital	661-846-2972	

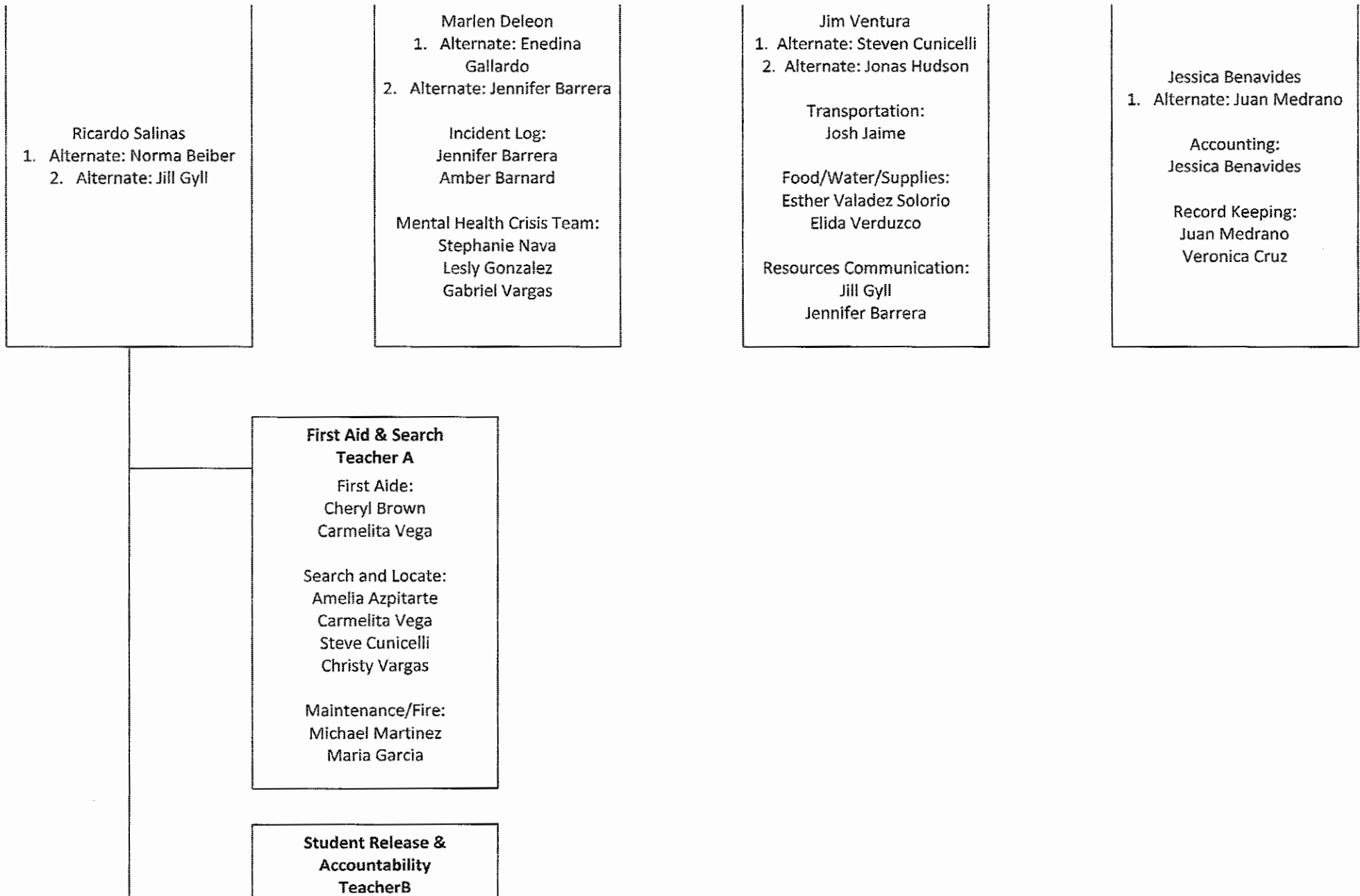


## Safety Plan Review, Evaluation and Amendment Procedures

<b>Activity Description</b> (i.e. review steps, meetings conducted, approvals, etc)	<b>Date and Time</b>	<b>Attached Document</b> (description and location)
Staff review of Emergency Procedures with Staff - annual notification of policies	August 2, 2023 @ 8:00 AM January 30, 2024 @ 2:20 PM	Evidence of Safety Plan Review, Evaluation and Amendment Procedures. Bear Mountain Elementary School - See agenda/staff sign in.
Staff review of School Site goals including Student Safety	August 2, @ 8:00 AM January 30, 2024 @ 2:20 PM	Evidence of Safety Plan Review, Evaluation and Amendment Procedures. Bear Mountain Elementary School - See agenda
Consultation with Law Enforcement/Fire Department - Life and Safety School Inspection	January 30, 2024 2:30 PM	Evidence of Safety Plan Review, Evaluation and Amendment Procedures. See Fire Inspection Report/Arvin PD input
School Climate opportunity for input English Language Advisory Committee (ELAC)	November 28, 2023 8:00 AM January 30, 2024 8:00 AM	Evidence of Safety Plan Review, Evaluation and Amendment Procedures. Bear Mountain Elementary School ELAC Meeting. See agenda
School Climate opportunity for input School Site Council (SSC)	November 28 2023 2:30 PM January 30, 2024 2:30 PM	Evidence of Safety Plan Review, Evaluation and Amendment Procedures. Bear Mountain Elementary School SSC Meeting. See agenda
Annual Admin/Vice-Principal evaluation and amendment of the Comprehensive School Safety plan	December 4, 2023 1:00 PM	Evidence of Safety Plan Review, Evaluation and Amendment Procedures. Bear Mountain Elementary School
Self Administered Williams Compliant Visit	August 3, 2023	FIT was completed by Administration and MOT Site Lead.
Student Safety Meeting-Safe School Ambassadors	November 3, 2023 1:00	Student Safety Meeting-Safe School Ambassadors Agenda Student Sign-in Sheet Student Input
Comprehensive Safety Plan Presentation for School Site Council (SSC)	January 30, 2024 2:30 PM	Bear Mountain Elementary School- E5 See agenda

## Bear Mountain Elementary School Incident Command System





Accountability:  
Norma Beiber

Student Release:  
Marlen DeLeon  
Jessica Benavides  
Sussan Garcia

Assembly Shelter:  
Bruce Witte  
Sonia Martinez

Security:  
Javier Pacheco  
Jesus Acosta  
David Chavez

## Incident Command Team Responsibilities

### Standardized Emergency Response Management System Overview

The California Standardized Emergency Management System (SEMS) is designed to centralize and coordinate emergency response through the use of standardized terminology and processes. This greatly facilitates the flow of information and resources among the agencies participating in response to an emergency. SEMS consists of five functions:

#### SCHOOL SITE PERSONNEL DUTIES AND RESPONSIBILITIES

In the event of a major disaster, there is no guarantee that emergency medical or fire personnel will be able to immediately respond to school sites. Therefore, the school staff must be prepared to ensure the care and safety of students during the first several hours after a major disaster without outside assistance.

It is critical to determine who does what, where, and how—before such a disaster occurs.

Staff members will use the Standard Response Protocols from the I Love You Guys Foundation including the District safety procedures that all sites follow.

\*Please see attached responsibilities from the Standard Response Protocol and the Arvin Union School District Safety Procedures.

#### Principal/Safe School Leadership Team

1. Acts as the liaison between the school site and central office and maintains communication with appropriate central office staff and/or local law enforcement agencies, fire department, and medical assistance agencies as appropriate.
2. Posts and regularly updates Safe School Leadership Team information and the emergency phone numbers, emergency first aid responders, and chemical inventory lists.
3. Ensures Safe School Leadership Team members are knowledgeable of the location of shut-off valves and how to turn them off. Do not attempt to turn utilities back on yourself.
4. Ensures that teachers are trained to carry out responsibilities during disaster and drill procedures; encourages teachers to work in teams through a buddy system.
5. Establishes a communications system consisting of the following elements:
  - a. System of specific disaster warning signals that are well known to staff and students, and includes, both bell and voice signals.
    - Fire/Earthquake drill bells/PA system
  - b. Alternate system for written communication with staff in the event voice-to-voice communication is not available.
    - District email; text
  - c. Designate and enforce exclusive use of a telephone line and number to be used only by the Principal (or authorized person) and the Superintendent (or designee).
    - 661 – 854 – 6590
  - d. A Communication Center in a location accessible to parents, interested community members, and media to handle inquiries, rumor control, and information in an orderly fashion.
    - North FRONT GATE – Bear Mountain Elementary School
  - e. Mass communication system

The following guidelines should be adhered to:

- Include a sign-in sheet for all media to complete. (PC 627.2)
- Notify the Assistant Superintendent (854-6512) from an outside line of the emergency and media response. Follow the directions of the Assistant Superintendent. Only the Superintendent or Assistant Superintendent is authorized to release information. All other personnel should cordially refer the media to the District Office (854-6500).
- Designate a person to record incidents for documentation purposes including debriefing.

6. Establishes a student release system that will facilitate an organized method to release individual students to authorized adults only.

- Café dismissal with Secretary and Clerk
- Picture Identification
- Multiple stations

7. Assigns the following duties to school staff:

- Patrol entrances to direct emergency personnel, parents, district staff, and media to appropriate areas, and prohibit unauthorized persons from entering campus. CUSTODIANS: Michael Martinez, Angel Pantoja, Maria Garcia
- Monitor/supervise halls and corridors to maintain a safe and secure environment. Emergency Crisis Team
- Conduct search-and-rescue operations to systematically search every room in order to locate trapped/injured persons and to recover critical supplies and equipment. Emergency Crisis Team
- Establish/coordinate Communication Center. Bear Mountain Office
- Administer first aid. Cheryl Brown, School Nurse
- Work with emergency medical triage teams to identify injured students and staff and to record ambulance destinations. Cheryl Brown, Jessica Benavides
- Activate the Mass Notification System with appropriate message and directions for Student Release; Marlen DeLeon
- Supervise Student Release Procedures: Ricardo Salinas and Sarah Randle
- Check building utility systems and appliances for damage: Michael Martinez

8. Schedules regular emergency drills and reviews the emergency plan with staff, students, and parents and to schedule regular site inspections for safety hazards. Ricardo Salinas and Sarah Randle

9. Plans alternate classroom evacuation routes, if standard routes are obstructed. Ricardo Salinas and Sarah Randle

10. Ensures that other personnel who provide services to students and staff are aware of emergency procedures. Ricardo Salinas and Sarah Randle

11. Reviews and updates the site-level plan annually, with particular attention to the unique characteristics of the site. Ricardo Salinas and Sarah Randle

#### SITE THREAT ASSESSMENT TEAM

The school Site Threat Assessment Team (STAT) is comprised of at least 3 individuals from the school site crisis team:

- Administrator (Principal, Assistant Principal, or Designee)
- Mental Health Professional (School Psychologist or Student Assistance Program (SAP) Counselor trained in threat assessment)
- School Resource Officer/Law Enforcement or
- Campus Supervisor/Security staff
- School Nurse, School Psychologist, School Social Worker or other staff designated by the school Principal

Utilizing your school crisis team chart and designate from among existing school staff the (minimum) three (3) members of the threat assessment team. One of the STAT members serves as a case manager of all actions taken, organizing and recording the steps to be taken for interviews, district and community referrals, information gathering, follow-up, etc.

#### THREAT ASSESSMENT PROCEDURE

1. The SITE THREAT ASSESSMENT MANAGEMENT TEAM (STAMT) consisting of administrators, SRO/Police, appropriate staff/others, psychologist, Clinical Sierra Vista, or other mental health worker(s) will utilize the THREAT ASSESSMENT GUIDELINES, PROTOCOL, and WORKSHEET to help determine the significance of a threat: Low, Medium, and High. (See Threat Assessment Guidelines)

2. If the threat is deemed to be a credible HIGH LEVEL THREAT, the STAT will recommend:

- A school discipline/law enforcement response
- Student Wellness Team Process (W&I Code 5150) (See 5150 Procedure Checklist)

3. When appropriate, the Site Administrator will notify the student's parents, victims and their parents, appropriate staff/others and communicate with the Assistant Superintendent. The Site Administrator should obtain a parent signature on an "Interagency Authorization for Release of Information" form. The Site Administrator will designate a team member to maintain a case folder on the incident.

4. The DISTRICT THREAT ASSESSMENT TEAM (DTAT) will address as necessary:

- Liability issues
- School safety issues
- Student Services disciplinary issues
- Legal issues
- Special Education issues

5. The Assistant Superintendent will convene the DTAT and communicate with the Site Administrator to develop a course of action.

The DTAT will consist of:

- Assistant Superintendent
- Coordinator, Family Resource Center/SARB Hearing Officer
- School Psychologist
- School Nurse

And when appropriate:

- Special Education Personnel
- Other Site or District Administration
- CBO
- District Legal Counsel
- AUSD SEMS incident commander – Superintendent or Designee

6. When it is determined that the student will return to campus, a meeting will be held with the team and parent/guardian to discuss.

- A Student Wellness Plan
- Mental Health Plan, if appropriate
- Programs and Services

7. The appropriate School Site Administrator will follow up to evaluate the adequacy of the Student Wellness Plan/Mental Health Plan.

### **Management**

During an emergency, the Incident Commander directs response actions from a designated Command Post. To effectively do this, the Incident Commander must constantly assess the situation, and develop and implement appropriate strategies. The Incident Commander must be familiar with the available resources, accurately document all response actions, and effectively communicate response strategies to others participating in the response. This function is typically filled by the school principal. The principal is assisted in carrying out this function by a Public Information & Liaison Officer and Safety Officer.

### **Planning & Intelligence**

Planning and Intelligence involves the use of various methods to efficiently gather information, weigh and document the information for significance, and actively assess the status of the emergency. This understanding and knowledge about the situation at hand is vital to the effective management of a response. These activities are performed by a single person who reports directly to the Incident Commander.

**Operations**

All response actions are implemented under by Operations. This includes staff performing first aid, crisis intervention, search and rescue, site security, damage assessment, evacuations, and the release of students.

**Logistics**

Logistics supports the response by coordinating personnel; assembling and deploying volunteers; providing supplies, equipment, and services; and facilitating communications among emergency responders.

**Finance & Administration**

Finance & Administration involves the purchasing of all necessary materials, tracking financial records, timekeeping for emergency responders, and recovering school records following an emergency. These activities are performed by a single person who reports directly to the Incident Commander.



## **Emergency Response Guidelines**

### **Step One: Identify the Type of Emergency**

It is important to note that school administrators are responsible for the health and safety of students and staff during an emergency. Although the following procedures refer to specific actions, school administrators must exercise discretion in implementing standardized procedures and should consider modifications as necessary to ensure the health and safety of all personnel during an emergency.

These might include: Earthquake, Hazardous materials, Flooding, Fire, Dam Failure, Transportation Incident (Air, Train, Truck), School Violence, Terrorism, Tsunami, and Public Health Emergency. Staff will refer to the Standard Response Protocol and the AUSD safety procedures for guidelines.

### **Step Two: Identify the Level of Emergency**

Arvin Union emergency response and recovery operations will be managed in one of three modes, depending on the magnitude of the emergency/disaster.

\*Level 1 is a minor incident that is quickly resolved and internal resources or limited help. The District will maintain normal staffing and reporting protocols. At this operational level, the environment is monitored for changes.

\*Level 2 is a more significant emergency that impacts district buildings and or school sites. For level 2 the Emergency Operations Plan (EOP) is activated. The Emergency Operations Center (EOC) will be activated but only those functions that are needed to coordinate and support emergency operations will be activated. The EOC Director will determine the magnitude of the emergency and coordinate its resolution or, if the emergency continues to develop, a Level 3 response will be activated. Other key staff may be alerted, depending on the nature of the emergency.

\*Level 3 is a disaster that involves the entire District, school sites and the surrounding community. At Level 3, the EOP is activated, and the entire District Emergency management organization is activated.

### **Step Three: Determine the Immediate Response Action**

The staff and students response to any emergency/disaster is based on an understanding of the nature of the emergency/disaster, the potential hazards, the likely response services and knowledge of what individuals and groups should do to increase their chances of survival and recovery. Immediate action responses may include: Drop cover and hold, Shelter in place, Lock down, Campus Evacuation, Off Campus Evacuation, and/or All Clear.

### **Step Four: Communicate the Appropriate Response Action**

The staff and students response to any emergency/disaster is based on an understanding of the nature of the emergency/disaster, the potential hazards, the likely response services and knowledge of what individuals and groups should do to increase their chances of survival and recovery. Immediate action responses may include: Drop cover and hold, Shelter in place, Lock down, Campus Evacuation, Off Campus Evacuation, and/or All Clear.

## **Types of Emergencies & Specific Procedures**

### **Aircraft Crash**

Emergency response will depend on the size of the airplane, nature of the crash, and proximity to the school. If it is safe to remain inside the building, all students should be kept in the school under supervision. The crash may also result in an explosion, chemical spill or utility interruption.

#### **AIRPLANE CRASHED INTO SCHOOL PROPERTY**

##### **STAFF ACTIONS:**

Call 911 and/or alert Site Administrator

Move students away from immediate vicinity of the crash

Follow immediate response action as directed by the Fire Department or Site Incident Command (Evacuation or Shelter in place)

Locate emergency folder including class roster, "Buddy" class roster, and other emergency supplies as appropriate.

Remove staff ID placard from emergency folder and put it on

If evacuating, use primary and/or alternate fire routes to a safe assembly area away from the crash scene

If safe to do so, Operations Chief Initiates Site Safety Teams to ensure that all students have evacuated all buildings

Once at the Evacuation Assembly Area, implement Student/Staff Accountability procedures according to site protocol

Report missing students to the Site Incident Command and emergency response personnel

Maintain control of the students a safe distance from the crash site

Care for the injured, if any

Wait for further directives or if ALL CLEAR is issued, return to the building

#### **AIRPLANE CRASHES NEAR SCHOOL**

##### **STAFF ACTIONS:**

Call 911 and/or alert Site Administrator

Move students away from immediate vicinity of the crash

Follow immediate actions as directed by Fire Department or Site Administrator

If immediate action is necessary, anticipate EVACUATION or SHELTER IN PLACE

### **Animal Disturbance**

#### **IN THE EVENT OF AN ANIMAL DISTURBANCE**

Implement this procedure when any animal or bee swarm threatens the safety of the students and staff:

##### **STAFF ACTIONS:**

Alert Site Administrator

If the animal is outside, proceed with SHELTER IN PLACE protocol. Keep students inside.

If the animal is inside, EVACUATE students to a sheltered area away from the animal.

#### **IN THE EVENT OF A BEE SWARM**

##### **STAFF ACTIONS:**

If a bee swarm is identified, but bees are NOT aggressive, initiate procedures for SHELTER IN PLACE until the swarm has passed.

If a bee swarm is identified and bees are aggressive, call 911.

Initiate procedures for SHELTER IN PLACE. All students and staff should get inside a building immediately. A few bees may follow indoors, but in a well-lit room, bees will become confused and fly to windows.

If bee attack is widespread, direct students into a large, well-lit room with high ceilings such as a cafeteria or gymnasium.

Have a designated staff person available with a vacuum cleaner hose to remove any bees clinging to clothing or hair.

If no vacuum with hose is available, bees may be controlled with a spray bottle filled with soap and water solution (3%-6% soap). Have nurse or health clerk available to assist stinging victims or if there are large numbers of stinging victims or if there are large numbers of stinging victims, instruct Operations Chief to engage Medical Team.

## **Armed Assault on Campus**

### **Imminent Danger/Lockdown Procedure**

(Remain on Campus) Implement this procedure when any animal or bee swarm threatens the safety of the students and staff.

#### **IN THE EVENT OF AN ANIMAL DISTURBANCE**

##### **STAFF ACTIONS:**

Alert Site Administrator

If the animal is outside, proceed with SHELTER IN PLACE protocol. Keep students inside.

If the animal is inside, EVACUATE students to a sheltered area away from the animal.

#### **IN THE EVENT OF A BEE SWARM**

##### **STAFF ACTIONS:**

If a bee swarm is identified, but bees are NOT aggressive, initiate procedures for SHELTER IN PLACE until the swarm has passed.

If a bee swarm is identified and bees are aggressive, call 911.

Initiate procedures for SHELTER IN PLACE. All students and staff should get inside a building immediately. A few bees may follow indoors, but in a well-lit room, bees will become confused and fly to windows.

If bee attack is widespread, direct students into a large, well-lit room with high ceilings such as a cafeteria or gymnasium.

Have a designated staff person available with a vacuum cleaner hose to remove any bees clinging to clothing or hair.

If no vacuum with hose is available, bees may be controlled with a spray bottle filled with soap and water solution (3%-6% soap).

Have nurse or health clerk available to assist stinging victims or if there are large numbers of stinging victims or if there are large numbers of stinging victims, instruct Operations Chief to engage Medical Team.

An extreme emergency exists when one or more of the following situations occur on or near campus: (1) drive-by shooting/show-by, (2) armed intruder, (3) mass protest, or (4) helicopter searches or SWAT team operations.

1. Imminent Danger Signal – Continuous series of short bells for an extended period of time will be the signal that an extreme emergency exists. One long bell will indicate "All Clear." Call 911.
2. The school/district nurse will be in charge of emergency first aid: the library or other designated area will be utilized as a first aid station – library. In nurse's absence, clerk Jessica Benavides is in charge.
3. The Office Manager/Secretary will maintain phone communication with the district office and telecommunication center for internal communications and will activate the Mass Notification System if directed to do so by Site Administrator.
4. Marlen De Leon will serve as emergency locator to notify parents, guardians, and/or doctors of injured persons.
5. The Principal or designee will identify a person to serve as public information contact under the direction of the District Information Office
6. The MOT Lead and Site Custodians will be responsible for locking all lavatory doors, cafeteria doors, office doors, and gates as directed.
7. Teachers who are unassigned should assemble in the staff lunchroom or other designated meeting room for instructions.
8. When the imminent danger signal is given, teachers should take the following actions:  
Proceed immediately to homerooms  
Direct as many students as possible into rooms  
Supervise the area outside room until students are in rooms  
Lock doors and close curtains  
Students in rooms are to be seated and sign-up sheets provided so that each student accounts for his/her presence in the room  
Notify the front office of any additional situations  
Students to remain in classroom until the all-clear signal is given
9. In the event that gunfire is heard, everyone should be instructed to lie flat on the ground/floor

10. School staff must stay at the site until the crisis is declared over

State of California Government Code,  
Chapter 8, Division IV, Title I

The State of California Government Code states that all public employees become emergency service workers in the event of a declared emergency. This means that all school district employees will be required to work in this capacity in case a disaster occurs and a state of emergency is declared.

### **Biological or Chemical Release**

#### **GAS LEAK**

All school personnel, including cafeteria managers and custodians, shall immediately report any gas odor or suspected gas leak to the Principal/Site Administrator.

#### **STAFF ACTIONS**

If a gas odor is detected, notify Site Administrator or security personnel immediately

Move students from immediate vicinity of danger

Do not turn on any electrical devices such as lights, computers, fans, etc.

If EVACUATION is ordered, follow all appropriate procedures

#### **TOXIC AGENT**

This is incident involving the discharge of a biological/chemical substance in a solid, liquid or gaseous state. Such incidents may include the release of radioactive materials. A toxic agent can be introduced through:

Postal mail

Ventilation system

Small explosive device

Parcel left unattended

Food supply

Aerosol release

Multiple victims suffering from the following symptoms might be an indicator of the release of a biological or chemical substance contaminating the environment:

Watery eyes

Choking

Breathing difficulty

Twitching

Loss of coordination

Distressed animals

Chemical accidents could result from a transportation accident or an industrial spill involving large quantities of toxic material. The nature of the material and the proximity of the incident to the school site will determine which emergency action should be implemented.

#### **STAFF ACTIONS**

Alert Site Administrator

If contamination is inside a specific classroom/area, EVACUATE students away from affected area immediately

Otherwise, follow immediate response action as directed by Site Administrator or Emergency Services personnel

Follow standard student assembly, accounting and reporting procedures

THOSE WHO HAVE DIRECT CONTACT WITH BIOLOGICAL AGENT

Wash affected areas with soap and water

Immediately remove and contain contaminated clothing

Do not use bleach on potentially exposed skins  
Remain in safe, but separate area, isolated from those who are unaffected until emergency response personnel arrive  
**THOSE WHO DISCOVER A CHEMICAL SPILL:**  
Alert others in immediate area to leave the area  
Close doors and restrict access to affected area  
Notify Site Administrator  
DO NOT eat or drink anything or apply cosmetics

### **Bomb Threat/ Threat Of violence**

To maintain a safe and secure environment for district students and staff, the Superintendent or designee shall ensure that the district's emergency and disaster preparedness plan and/or each school's comprehensive safety plan includes procedures for managing bomb threats. Additionally, the Superintendent or designee shall regularly review current guidance regarding cybersecurity and digital media awareness and incorporate recommended practices into the district's processes and procedures related to the protection of the district's infrastructure, and the monitoring and response to suspicious and/or threatening digital media content.

#### **Receiving Threats**

Any staff member receiving a bomb threat by telephone shall try to keep the caller on the line for as long as possible in order to gather information about the location and timing of the bomb and the person(s) responsible. To the extent possible, the staff member should also take note of the caller's gender, age, any distinctive features of voice or speech, and any background noises such as music, traffic, machinery, or voices. The staff member should not hang up, even if the caller does, and copy the number and/or letters on the telephone's display, if available.

If the bomb threat is received through regular mail or in writing, the staff member who receives it should handle the letter, note, or package as minimally as possible. If the threat is received through electronic means, such as email, text messaging, or social media, the staff member should not delete the message.

#### **Response Procedure**

The following procedure shall be followed when a bomb threat is received:

Any employee or other school official who receives a bomb threat shall immediately call 911 and report the threat or perceived threat to law enforcement. The employee shall also report the threat to the Superintendent or designee.

If the threat is in writing, the employee shall rewrite the threat exactly as is on another sheet of paper, including the date, time and location the document was found, any conditions surrounding the discovery or delivery of the document, and the full names of any other employees who saw the threat. The employee shall secure the document and not alter it in any way. If the document is small and/or removable, the employee shall place it in a bag or envelope.

If the threat is electronic, the employee shall leave the message open, and print, photograph, or copy the message and subject line, and note the date and time of the message.

Any student or employee who sees a suspicious package should not touch, tamper with, or move the item, and shall immediately notify law enforcement and the Superintendent or designee.

The Superintendent or designee shall immediately contact law enforcement if not yet done, assess the situation, ensure the area is secured, and initiate standard evacuation procedures as specified in the emergency plan.

The Superintendent or designee shall turn off any two-way radio equipment which is located in a threatened building. Law enforcement and/or fire department staff shall conduct the bomb search. No school staff, students, parents/guardians, or others on campus shall search for or handle any explosive or incendiary device.

No one shall reenter the threatened building(s) until the Superintendent or designee declares that reentry is safe based on law enforcement and/or fire department clearance.

To the extent possible, the Superintendent or designee shall maintain communications with staff, parents/guardians, the Governing Board, other governmental agencies, and the media during the period of the incident.

Following the incident, the Superintendent or designee shall provide crisis counseling for students and/or staff as needed.

Any employee or student found to have made a bomb threat shall be subject to disciplinary procedures and/or criminal prosecution.

#### Staff Training

The Superintendent or designee shall provide training regarding the assessment and reporting of potential threats and procedures for managing bomb threats to district and site administrators, safety personnel, teachers, and other staff members, as appropriate. Any student who makes a bomb threat shall be subject to disciplinary procedures.

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

Legal Reference:

#### EDUCATION CODE

44810 Willful interference with classroom conduct

48900 Grounds for suspension or expulsion

51202 Instruction in personal and public health and safety

#### PENAL CODE

17 Felony, misdemeanor, classification of offenses

148.1 False report of explosive or facsimile bomb

245 Assault with deadly weapon or force likely to produce great bodily injury; punishment

594 Vandalism; penalty

#### Regulation ARVIN UNION SCHOOL DISTRICT

approved: October 18, 2005 Arvin, California, Last Revised Date: 02/21/2023

#### Bus Disaster

Cautionary Notice: Government Code 17581.5 relieves districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of 2016 (SB 826, Ch. 23, Statutes of 2016) extends the suspension of these requirements through the 2016-17 fiscal year. As a result, certain provisions of the following administrative regulation related to transportation safety plans and safety instruction for students may be suspended.

Each day, prior to driving a school bus, each school bus driver shall inspect the bus to ensure that it is in safe operating condition and equipped as required by law and that all equipment is in good working order. At the completion of each day's work, the driver shall prepare and sign a written report of the condition of the equipment specified in 13 CCR 1215. The report shall indicate any defect or deficiency discovered by or reported to the driver which would affect safe operation or result in mechanical breakdown of the bus or, if no defect or deficiency was discovered or reported, shall so indicate. Any defect or deficiency that would affect safe operation shall be repaired prior to operating the bus. (13 CCR 1215)

(cf. 3540 - Transportation)

(cf. 3541.1 - Transportation for School-Related Trips)

(cf. 3542 - School Bus Drivers)

#### Bus Accidents

In the event of a school bus accident, the driver shall immediately notify the CHP and the Superintendent or designee. The driver shall not leave the immediate vicinity of the bus to seek aid unless necessary. (13 CCR 1219)

The Superintendent or designee shall maintain a report of each accident that occurred on public or private property involving a school bus with students aboard. The report shall contain pertinent details of the accident and shall be retained for 12 months from the date of the accident.

If the accident was not investigated by the CHP, the Superintendent or designee shall forward a copy of the report to the local CHP within five work days of the date of the accident. (13 CCR 1234)

The Superintendent or designee shall review all investigations of bus incidents and accidents to develop preventative measures.

### **Disorderly Conduct**

#### **DISORDER/PUBLIC DEMONSTRATION/STUDENT RIOT**

When an advance notice of a planned protest is given, inform staff, local law enforcement, and parent community. When the conduct of an assembly of students threatens the safety and security of the school community and/or school property, follow the protocol for "Student Riot." Students who participate in a riot on campus should be informed that they will be suspended or possibly arrested if they do not comply with directives.

#### **STAFF ACTIONS:**

- Maintain school and classroom expectations for academic engagement and behavior.
- Clearly explain to students that they are to remain on campus as usual and remind them of key aspects of discipline and attendance policy.
- Do not attempt to physically stop a student who chooses to leave campus. Simply note student's name and report to Site Administrator for disciplinary follow up

#### **STUDENT ACTIONS:**

In a violent situation, immediately notify the first available adult  
Do not retaliate or take unnecessary chances  
Move away from the area of agitation  
Hold on to belongings to the extent that it is safe to do so  
Do not pick up anything and do not go back for anything until receiving clearance to do so  
Stay calm and reassure fellow students  
Share all relevant information with law enforcement, teachers, and school staff  
Follow directions from site administrator or law enforcement, teachers, and school staff  
Do not perpetuate rumors or repeat unsubstantiated information

### **Earthquake**

#### **Earthquake Preparedness**

Earthquake emergency procedures shall be established in every school building having an occupant capacity of 50 or more students, or more than one classroom, and shall be incorporated into the comprehensive safety plan. (Education Code 32282)

Earthquake emergency procedures shall be aligned with the Standardized Emergency Management System and the National Incident Management System. (Government Code 8607; 19 CCR 2400-2450)

The Superintendent or designee may work with the California Governor's Office of Emergency Services and the Seismic Safety Commission to develop and establish the earthquake emergency procedures. (Education Code 32282)

Earthquake emergency procedures shall outline the roles and responsibilities of students and staff during and after an earthquake.

Earthquake emergency procedures shall include, but not be limited to, all of the following: (Education Code 32282)

A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of students and staff

A drop procedure whereby each student and staff member takes cover under a table or desk, dropping to his/her knees, with the head protected by the arms and the back to the windows

Drop procedures shall be practiced at least once each school quarter in elementary schools and at least once each semester in secondary schools.

Protective measures to be taken before, during, and following an earthquake

A program to ensure that students and staff are aware of and properly trained in the earthquake emergency procedure system

Staff and students shall be informed of the dangers to expect in an earthquake and procedures to be followed. Students shall be instructed to remain silent and follow directions given by staff in such an emergency. Staff and students also shall be taught safety precautions to take if they are in the open or on the way to or from school when an earthquake occurs.

Earthquake emergency procedures shall designate primary and alternative locations outside of buildings, which may include areas off campus if necessary, where individuals on a school site will assemble following evacuation. In designating such areas, the Superintendent or designee shall consider potential post-earthquake hazards outside school buildings including, but not limited to, power lines, trees, covered walkways, chain link fences that may be an electric shock hazard, and areas near buildings that may have debris.

Earthquake emergency procedures also shall outline primary and alternative evacuation routes that avoid areas with potential hazards to the extent possible. The needs of students with disabilities shall be considered when planning evacuation routes.

The Superintendent or designee shall identify potential earthquake hazards in classrooms and other district facilities, including, but not limited to, areas where the main gas supply or electric current enters the building, suspended ceilings, pendant light fixtures, large windows, stairwells, science laboratories, storage areas for hazardous materials, shop areas, and unsecured furniture and equipment. To the extent possible, dangers presented by such potential hazards shall be minimized by securing equipment and furnishings and removing heavy objects from high shelves.

#### Earthquake While Indoors at School

When an earthquake occurs, the following actions shall be taken inside buildings and classrooms:

Staff shall have students perform the drop procedure. Students should stay in the drop position until the emergency is over or until further instructions are given.

In laboratories, burners should be extinguished, if possible, before taking cover.

As soon as possible, staff shall move students away from windows, shelves, and heavy objects or furniture that may fall.

After the earthquake, the principal or designee shall determine whether planned evacuation routes and assembly locations are safe and shall communicate with teachers and other staff.

When directed by the principal or designee to evacuate, or if classrooms or other facilities present dangerous hazards that require immediate evacuation, staff shall account for all students under their supervision and shall evacuate the building in an orderly manner.

#### Earthquake While Outdoors on School Grounds

When an earthquake occurs, the following actions shall be taken by staff or other persons in authority who are outdoors on school grounds:

Staff shall direct students to walk away from buildings, trees, overhead power lines, power poles, or exposed wires.

Staff shall have students perform the drop procedure.

Staff shall have students stay in the open until the earthquake is over or until further directions are given.

#### Earthquake While on the Bus



If students are on the school bus when an earthquake occurs, the bus driver shall take proper precautions to ensure student safety, which may include pulling over to the side of the road or driving to a location away from outside hazards, if possible. Following the earthquake, the driver shall contact the Superintendent or designee for instructions before proceeding on the route or, if such contact is not possible, drive to an evacuation or assembly location.

#### Subsequent Emergency Procedures

After an earthquake episode has subsided, the following actions shall be taken:

Staff shall extinguish small fires if safe.

Staff shall provide first aid to any injured students, take roll, and report missing students to the principal or designee.

Staff and students shall refrain from lighting any stoves or burners or operating any electrical switches until the area is declared safe.

All buildings shall be inspected for water and gas leaks, electrical breakages, and large cracks or earth slippage affecting buildings.

The principal or designee shall post staff at safe distances from all building entrances and instruct staff and students to remain outside the buildings until they are declared safe.

The principal or designee shall request assistance as needed from the county or city civil defense office, fire and police departments, city and county building inspectors, and utility companies and shall confer with them regarding the advisability of closing the school.

The principal or designee shall contact the Superintendent or designee and request further instructions after assessing the earthquake damage.

The Superintendent or designee shall provide updates to parents/guardians of district students and members of the community about the incident, any safety issues, and follow-up directions.

#### Regulation 3516.3: Earthquake Emergency Procedure System

Original Adopted Date: 10/18/2016 Last Reviewed Date: 10/18/2016

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

#### State Description

19 CCR 2400-2450 Standardized Emergency Management System

Ed. Code 32280-32289.5 School safety plans

Gov. Code 3100 Public employees as disaster service workers

Gov. Code 8607 Standardized Emergency Management System

#### Management Resources Description

Cal OES Publication School Emergency Response: Using SEMS at Districts and Sites, June 1998

Cal OES Publication School Emergency Response: Using SEMS at Districts and Sites, June 1998

Cal OES Publication The ABCs of Post-Earthquake Evacuation: A Checklist for School Administrators and Faculty

Cal OES Publication Guide and Checklist for Nonstructural Earthquake Hazards in California Schools, January 2003

Fed. Emgcy. Mgmt. Agency Pub. National Incident Management System, 3rd ed., October 2017

Website CSBA District and County Office of Education Legal Services

Website American Red Cross

Website California Governor's Office of Emergency Services

Website California Seismic Safety Commission

Website Federal Emergency Management Agency

### **Explosion or Risk Of Explosion**

Emergency response will depend on the type of explosion (bomb, chemical lab incident, etc.) and proximity to the school. All students should be kept away from the explosion and under supervision.

#### **STAFF ACTIONS:**

At the sound of an explosion, immediately direct students to turn away from the windows and DROP, DUCK, COVER AND HOLD ON  
Check for injuries and render first aid

If explosion occurs inside the classroom or classroom block, EVACUATE to outdoor assembly area immediately

Do not move injured students, unless to do so would place students in further danger

Use buddy system to remain with injured students

If directive is to EVACUATE follow all EVACUATION procedures

Do not stop to collect belongings. Leave the door unlocked

Keep students and staff at the safe distance from the building(s) and away from fire-fighting equipment

Do not return to the building until it is safe to do so

If explosion occurs in the surrounding area, initiate procedures for SHELTER IN PLACE and wait for further instructions

Keep students at a safe distance from site of the explosion

### **Fire in Surrounding Area**

A fire in the surrounding community can threaten school buildings and endanger students and staff. Response actions are determined by location and size of the fire, its proximity to the school, and the likelihood that it may endanger the school community.

#### **FIRE OFF-SITE**

#### **STAFF ACTIONS:**

If students are to be evacuated, implement Student/Staff Accountability procedures before leaving the building site

Follow all procedures for EVACUATION

Do not stop to collect belongings. Leave the door unlocked

Stay calm. Maintain control of the students at a safe distance from the fire and fire fighting equipment

Remain with students until the building has been inspected and it has been determined safe to return

If directive is to implement SHELTER IN PLACE, gather students inside and close windows and doors.

Wait for further instructions

### **Fire on School Grounds**

#### **Fires**

When a fire is discovered in any part of the school, the following actions shall be taken:

1. The principal or designee shall sound fire signals, unless the school and/or building is equipped with an automatic fire detection and alarm system. (Education Code 32001)
2. The principal or designee shall call 911.
3. All persons shall be directed to leave the building and shall proceed outside to designated assembly areas.
4. Staff shall give students clear direction and supervision and help maintain a calm and orderly response.
5. In outside assembly areas, teachers shall take roll, report missing students, and provide assistance to any injured students.
6. In outside assembly areas, the principal, designee and/or each department head shall account for their staff, report missing staff, and provide assistance to any injured staff.

7. If the fire is extensive, students shall be taken to an alternate location for protective custody until parents/guardians can pick them up or until they can be safely transported to their homes.

### **Flooding**

Flooding may occur if a water pipe breaks or prolonged rainfall causes urban streams to rise. Flooding may also occur as a result of the failure of a dam or levee. IF the school site lies within the hazard zone of a dam or levee, contact local water or dam authorities for further emergency preparedness strategies.

#### **STAFF ACTIONS:**

Follow Site Administrator's directive to EVACUATE or SHELTER IN PLACE

Remain with and supervise students throughout the duration of the incident

Do not walk through moving water. Six inches of moving water can cause a fall

If walking in water is unavoidable, walk where the water is not moving. Use a stick to check the firmness of the ground

Upon arrival at the safe site, implement Student/Staff Accountability procedures

Report missing students to Incident Command Staff

Do not return to site until it has been inspected and determined safe by authorities

### **Loss or Failure Of Utilities**

This procedure addresses situations involving a loss of water, power or other utility on school grounds. This procedure should also be used in the event of the discovery of a gas leak, an exposed electrical line, or a break in sewer lines.

#### **Procedure:**

1. If water or an electrical line is broken, an effort should be made to turn off water or power to the affected area and to notify the School Administrator immediately.

2. Upon notice of loss of utilities, the School Administrator will initiate appropriate Immediate Response Actions, which may include SHELTER-IN-PLACE, or EVACUATE BUILDING.

3. The School Administrator will notify CE Customer Service and will provide the location and nature of emergency. Appropriate personnel will also be notified at the discretion of the School Administrator.

4. The School Administrator will notify the Local District Superintendent of the loss of utility service.

5. As needed, school emergency supplies will be utilized to compensate for the loss of a utility.

6. If the loss of utilities may generate a risk of explosion, such as a gas leak.

7. In addition to the procedures listed above, the Incident Commander will implement the following plans in the event utilities are disrupted.

### **Motor Vehicle Crash**

#### **STAFF ACTIONS:**

Notify Site Administrator.

Move students away from immediate vicinity of the crash.

If necessary, EVACUATE students to a safe assembly area away from the crash scene.

If possible take classroom emergency materials including class roster and staff ID to safe assembly area.  
According to site protocol, implement Student/Staff Accountability procedures.  
Report missing students to the principal/designee and emergency response personnel.  
Care for the injured, if any.  
Escort students back to the school site when emergency response officials have determined it is safe to return to the building.

## **Psychological Trauma**

### **STUDENT WELLNESS TEAMS**

#### **Objective:**

SAFE SCHOOLS/HEALTHY STUDENTS is a Federal initiative of persons whose mission is to develop and maintain programs and intra/inter agency collaborations that promote physical, mental, and social health in our students with the goal of promoting educational success.

The objective of Student Wellness Teams is to coordinate the care of students who have been recently evaluated for and/or held on Welfare and Institutions Code 5150 status.

#### **Students will:**

Have a Student Wellness Plan (Safety, Mental Health and, when appropriate, Educational Plan) developed after a 5150 assessment  
When appropriate, participate in the Student Wellness Team Meeting

Parents will: Participate in the Student Wellness Team Meeting

Staff will: Follow 5150 Procedure Checklist and Flow Chart (Attachments 1, 2)

Minimally include Parent, Student, Site Administration representative, and School Psychologist on Student Wellness Team. (May also include: Student Assistance Program therapist, Clinica Sierra Vista, Nurse, Teacher, Counselor, School Social Worker, Mental Health Worker, SRO, private provider and/or others.)

Develop Student Wellness Plans collaboratively

Complete Student Wellness Plan (Attachment 3) and distribute to appropriate individuals

Keep all Student Wellness Team information confidential

Utilize appropriate release of information forms

Collaboratively decide when to end the Student Wellness Plan

Provide feedback to site Psychologist on efficacy of Student Wellness Team

#### **STUDENT WELLNESS TEAM CONCEPT**

Student Wellness Teams are responsible to the Site Principal/Administrative Designee for coordinating safety/wellness/education plans for students who have been or are at risk for WI Code 5150 status designation.

The School Site collaboratively determines how the Student Wellness Team operates, keeping at the forefront adherence to State and Federal confidentiality laws, professional scope of practice, ethics, and best practices guidelines.

Minimally, Student Wellness Teams include Site Administration, the Psychologist, the student, and the student's parent(s)/guardian(s). Others may be School Nurses, School Counselors, School Social Workers, Student Assistance Program therapists, Mental Health Workers (County/ contracted), School Resource Officer and/or other Law Enforcement personnel, and private providers.

The SW Team may schedule meetings as needed after a student has been assessed by the Student Threat Assessment Team (STAT) for 5150. The meetings do not have to be formal, but must be documented on the Student Wellness Plan. The plan is intended to be short-term and for the acute situation only.

Roles and responsibilities will be determined by the Site Administration. The Professional completing the Assessment of High Risk Areas form will be the contact person for the Kern County Mental Health Team until the Student Wellness Team meets and determines who the contact (case manager) will be. Kern County Mental Health and/or School Resource Officer will contact Site Admin when student is released, provided a valid release has been signed.

Site 5150 files will be maintained by Site Administration or designee.

Student Wellness Teams will report concerns about processes and about efficacy of the Team to the site psychologist, who will then report to the Assistant Superintendent.

#### **Suspected Contamination of Food or Water**

This procedure should be followed if site personnel report suspected contamination of food or water. This procedure applies where there is evidence of tampering with food packaging, observation of suspicious individuals in proximity to food or water supplies, or if notified of possible food/water contamination by central District staff or local agencies. Indicators of contamination may include unusual odor, color, taste, or multiple employees with unexplained nausea, vomiting, or other illnesses.

##### **Procedure:**

1. The School Administrator will isolate the suspected contaminated food/water to prevent consumption, and will restrict access to the area.
2. The School Administrator will notify "911", County Department of Health Services, Local District Office, and the Office of Environmental Health and Safety if any contaminated food or water has been ingested.
3. The School Administrator will make a list of all potentially affected students and staff, and will provide the list to responding authorities.
4. The First Aid/Medical Team will assess the need for medical attention and provide first aid as appropriate.
5. The School Administrator will maintain a log of affected students and staff and their symptoms, the food/water suspected to be contaminated, the quantity and character of products consumed, and other pertinent information.
6. The School Administrator will confer with the County Department of Health Services before the resumption of normal operations.
7. The School Administrator will notify parents of the incident, as appropriate.

#### **Unlawful Demonstration or Walkout**

An Unlawful Demonstration/Walkout is any unauthorized assemblage on or off campus by staff or students for the purpose of protest or demonstration.

##### **Procedure**

1. Upon indication that an unlawful demonstration or walkout is about to begin, personnel should immediately notify the School Administrator.
2. The School Administrator will initiate appropriate Immediate Response Actions, which may include shutting blinds in rooms so equipped.
3. The School Administrator will notify 911, the Local District Office to request assistance and will provide the exact location and nature of emergency.
4. The Request Gate Team will immediately proceed to the Main Gate to control student ingress and egress. Each person entering or leaving the campus shall be required to sign his/her name, and record address, telephone number and time

entered or departed. The Main Gate should not be locked, as a locked gate may create a serious hazard for students leaving or attempting to re-enter the campus.

5. If students leave the campus, the Request Gate Team, in consultation with the School Administrator, will designate appropriate staff members to accompany them. These staff members will attempt to guide and control the actions of students while offsite.

6. Students not participating in the demonstration or walkout should be kept within their classrooms until further notice by the School Administrator. Teachers will close and lock classroom doors. Students and staff should be protected from flying glass in the event windows are broken, by closing drapes.

7. The Documentation staff member should keep accurate record of events, conversations and actions.

8. The School Administrator should proceed in good judgment on basis of police or other legal advice, in taking action to control and resolve the situation.

9. The School Administrator will notify parents of the incident, as appropriate.

#### SHELTER-IN-PLACE