

# **COMPREHENSIVE SCHOOL SAFETY PLAN 2024-2025**



## **BERKSHIRE ELEMENTARY SCHOOL**

# Comprehensive School Safety Plan (CSSP)

Revised November 6, 2024



## **DEVELOPED BY**

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## **BOARD OF TRUSTEES**

Bryan Easter

Paula Van Auken

Keith Wolaridge

Linda Garcia

Tom Webster

## **SUPERINTENDENT**

Katie Russell

## The Comprehensive School Safety Plan (CSSP) Overview

The Comprehensive School Safety Plan (CSSP) is required by Education Code 32280-32289.5 to be adopted by March 1 annually and subsequently submitted for approval to the appropriate committee as well as the district's governing board. The contents of the CSSP should include at a minimum, information assessing the current status of school crime committed on school campus and at school-related functions, strategies and program that provide or maintain a high level of school safety, and procedures for complying with existing laws related to the school safety. For additional information on school safety programs, policies, or procedures and how you may become involved locally, please contact:

**Principal Name: Amy Mensing**

**School Name: Berkshire**

**School Address: 3900 Berkshire Road**

**School Phone Number: 661-834-9472**

**Email Address of Principal: [amensing@pbvusd.k12.ca.us](mailto:amensing@pbvusd.k12.ca.us)**

Prepared by:

- An evaluation of the 2024-2025 CSSP goals took place on 11/5/2024(EC 35294.2(e)).
- A public hearing was held on 11/5/2024 on Zoom to obtain public input pursuant to (EC 32288).
- School staff was advised on the updated CSSP on 11/6/2024 during a school staff meeting (EC 35294.2(e)).
- The most current copy of the school plan is available in the school office for public view.

## General School Information

### School Profile

Berkshire is located in the city of Bakersfield, and serves students in grades TK-6. The school offers a comprehensive core curriculum, grounded in cultural literacy, to develop the broad background of fundamental knowledge necessary to promote intellectual, ethical, cultural, emotional, and physical growth.

Fiscal year: 2024-2025

Certificated teachers: 47

Classified staff: 45

### Safe School Vision

Berkshire provides a safe, equitable learning environment where each member is treated with respect, dignity, and shown grace so that they may realize their full potential.

### Description of School Facilities

A scheduled maintenance program is administered by the District to ensure that all classrooms and facilities are maintained to a degree of adequacy that provides for a positive learning environment. Ongoing repairs and modifications to the physical plant exceed California Building and Safety Codes. The exterior grounds are well lit and the perimeter of the school facility is fenced for student protection and safety. A team of custodians ensures classrooms and campus grounds are kept clean and safe. The restrooms are cleaned, sanitized and secured at the end of each school day with 100% of the toilets in operating condition. Installation of solar panels was the most recent improvement to the facility. Grounds and playground equipment are inspected regularly for potential hazards.

| Campus Description        | #      |                            | # |
|---------------------------|--------|----------------------------|---|
| Year built                | 2002   | Number restrooms (in sets) | 5 |
| Acreage                   | 11.94  | Multipurpose room          | 1 |
| Square footage            | 69,538 | Library                    | 1 |
| # of permanent classrooms | 23     | Band room                  | 1 |
| # of portable classrooms  | 21     | Gym                        | 0 |
| Computer lab              | 1      |                            |   |

## Plan Development

The framework of the Comprehensive School Safety Plan (CSSP) is designed and developed by Health, Safety and Wellness.

The Comprehensive School Safety Plan (CSSP) shall be evaluated and amended, as needed, by the school safety task force no less than once a year to ensure that the CSSP is properly implemented. An updated file of all safety-related plans and materials shall be readily available for inspection by the public. (EC 35294.2(e))

The planning task force must be made up of at minimum, the principal or designee, teacher, parent of child who attends the school, classified employee, and others, if desired.

| School Site Council/Safety Planning Task Force |                       |
|--|-----------------------|
| Employee Name                                  | Title                 |
| Amy Mensing                                    | Principal or Designee |
| Raina Daniles                                  | Teacher               |
| Emily Bumgarner                                | Teacher               |
| Vanessa Arreola                                | Parent of Student     |
| Jacaelyn Duenas                                | Parent of Student     |
| Anais Gallegos                                 | Parent of Student     |
| Craig Tompkins                                 | Parent of Student     |
| Leticia Pelayo                                 | Classified Staff      |

The CSSP was developed using the [Emergency Planning Rubric for Schools](#). The Rubric was created by a subcommittee of the Safer Schools Coalition of Kern with representation from Bakersfield Police Department, Kern County Sheriff's Office, Bakersfield City Fire Department, Kern County Fire Department, Kern High School District, Bakersfield City School District, and the Kern County Superintendent of Schools office.

## Record of Distribution

| Title of person receiving the plan | Form of Delivery  | Date of Delivery |
|------------------------------------|---|------------------|
|                                    | <b>Do not share this plan until it has been approved by the Board</b> |                  |
|                                    |   |                  |
|                                    |   |                  |
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## Notifications and Communications

### Required Approval

In order to ensure compliance with this article, each school shall forward its comprehensive school safety plan to the school district for approval. 32288 (a)(1)

### Required Notification of Hearing

The following persons and entities were notified in writing of the public hearing concerning input on this Comprehensive School Safety Plan in accordance with the district's administrative regulation (EC 32288). Written notification sent to Insert Date.

- Mayor Karen Goh
- CSEA/Teamsters Site Representative
- Site representative PBVTA
- Parent organizations at school site
- Representative of Student Body (N/A)
- All other persons who indicated they wished information

### Notice to Public

Parents: Notice was given of the public hearing held on 11/5/2024 at Berkshire located at 3900 Berkshire Rd. via Zoom. This public hearing, as required by Education Code Section 32288 (b)(1), allows public input regarding the Comprehensive Safe School Plan developed by the School Site Council or designee. The notice was posted on 11/1/2024

All school staff have access to a copy of the safety plan at the school sites front office.

The Safer Schools Coalition of Kern developed the Emergency Planning Rubric for Schools with input from local law enforcement, a fire agency and other first responders. Using this document when preparing the Comprehensive School Safety plans is intended to meet this consultation mandate.





Berkshire Elementary School  
SCHOOL SITE COUNCIL  
MEETING #2  
10/23/2024, 4:15 PM - 5:15 PM,  
Virtual:  
[Zoom Meeting Link](#)  
Meeting ID: 865 2497 7812  
Passcode: berkshire

POSTING DATE (Ed Code 35147)  
on or before:  
**10/21/2024**

### Meeting Notice and Agenda

| AGENDA ITEM*  | Item Type  | Responsible  |
|---|--|--|
| I. <b>Call to Order</b>   | Action   | Chairperson  |
| II. <b>Welcome Opening and Attendance</b><br>A. <a href="#">School Site Council (SSC) Membership Roster</a>   | Action   | Chairperson  |
| III. <b>Minutes from the Previous Meeting</b><br>A. <a href="#">10/1/2024 - SSC Meeting Minutes</a>   | Action   | Chairperson  |
| IV. <b>Public Comment</b><br>Comments related to agenda items, per Greene Act and must be submitted by email to the principal and/or chairperson 24 hrs. in advance of the meeting.   | Informational  | Chairperson  |
| V. <b>Elections, Appointments, Bylaws, Training:</b><br>A. <a href="#">n/a at this meeting</a>  |  |  |
| VI. <b>SPSA and Site Program Reports</b><br>A. Ongoing Monitoring and Evaluation of the SPSA – Ed Code 64001 (g);<br>1. <a href="#">2024-2025 School Plan for Student Achievement</a><br>1. <a href="#">Monitoring Template</a><br>B. Data Analysis and Needs Assessment, Surveys:<br>C. Review/ Input on Local Control and Accountability Plan (LCAP) & Federal Addendum: Local Control and Accountability Plan (LCAP) <a href="#">English</a> and Spanish | A. Informational<br>B. Informational<br>C. Informational                     | A. Principal<br>B. Principal<br>C. Principal                 |
| VII. <b>Old Business</b> – Ed Code 35147 or <a href="#">n/a at this meeting</a>   |  |  |
| VIII. <b>New Business</b> - Ed Code 35147<br>A. Budgets- Expenditure Reviews, advice, actions, and approvals:<br>1. <a href="#">Berkshire: 24-25 Addendum #1</a><br>1. <a href="#">SPSA Budget Adjustment Tracking #1</a><br>2. <a href="#">24/25 Revised Preliminary Title 1 Budget</a><br>B. <a href="#">Comprehensive School Safety Plan</a>   | A. Action<br>B. Action   | A. Principal<br>B. Principal                                 |
| IX. <b>Reports from Committee:</b><br>A. ELAC: (Share input form and meeting minutes)<br>B. DAC: 12/13/24, 2/7/25, 4/11/25, 5/16/25<br>C. DELAC: 11/13/24, 12/18/24, 3/12/25, 4/9/25, 5/21/25<br>D. Title I Annual Review Committee: or <a href="#">n/a at this meeting</a>   | A. Informational<br>B. Informational<br>C. Informational<br>D. Informational | A. Principal<br>B. Principal<br>C. Principal<br>D. Principal |



|   |  |  |
|---|--|--|
| <b>X. Announcements, Future Meetings, and Adjournment</b> |  |  |
| <b>A. Future Meeting: November 05, 2024 at 4:15, Zoom</b> |  |  |

**Accessibility Information:**

An individual who requires disability-related accommodations or modifications, including auxiliary aids and services in order to participate in the School Site Council meeting, should contact the Principal's office at least two days before the meeting date (Government Code 54954.2). ----- Any materials required by law to be made available to the public prior to a meeting of the School Site Council can be inspected at the school site during normal business.

# **NOTICE OF PUBLIC** **HEARING HERE**

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# **I. CHILD ABUSE REPORTING**



In accordance with BP 5141.4 and [Appendix H: Child Abuse and Neglect](#), the following site-specific procedures are implemented to address child abuse reporting:

## Child Abuse Reporting Procedures

### Definition

Any act of omission or commission that endangers or impairs a child's physical or emotional health and development including:

- Physical abuse, corporal punishment
- Physical neglect and/or inadequate supervision
- Sexual abuse and/or exploitation
- Emotional abuse, depravation

### Legal Protection

Penal Code Section 11166 requires any Mandated Reporter who reasonably suspects a child has been the victim of abuse or neglect must:

- Report the known or suspected instance of child abuse to a child protective agency immediately by phone
- Prepare and send a written report within 36 hours of receiving the information as outlined in Penal Code 11167

Mandated Reporters include: Teachers, administrators, supervisors, certificated pupil personnel and classified employees of any public or private school. All district employees and substitute employees are considered MANDATED REPORTERS.

## Required Action for Reporting Suspected Child Abuse

1. Immediately call the Kern County Department of Human Services (KCDHS), Child Protective Services 24-Hour HotLine at **(661) 631-6011** – Make a VERBAL report – **Call first** – It's the law!

### Provide the following information:

- Your name
- Name of the child
- Present location of the child
- Nature and extent of injury
- Any other information that led the reporter to suspect child abuse
- Other information requested

2. Follow up with the written Suspected Child Abuse Report (SCAR) within 36 hours of phone call per mandated reporter guidelines. Please include the name of the social worker the report was made to in section B, under "official contacted." Forms may be obtained from the school office, the KCDHS website at <https://www.kcdhs.org/services/child-protective-services/abuse-reporting> or here: [Suspected Child Abuse Report Form BCIA 8572](#).

**NEXT:** Follow-Up (Mail/Fax) with the written Suspected Child Abuse Report (SCAR). Include a phone number where you can be reached should KCDHS emergency personnel need to make a follow-up call. Mandated Reporters must follow-up all verbal reports with a written report within 36 hours.

## Procedure for Reporting Suspected Child Abuse (continued)

### Send the original SCAR to Child Protective Services:

- Mail to: KCDHS – CPS (SCAR Enclosed)  
PO Box 511  
Bakersfield, California 93302
  - Email to: [KernCPShotLine@kerndhs.com](mailto:KernCPShotLine@kerndhs.com)
    - FAX to: (661) 631-6568
3. If the child is in imminent danger or has major medical needs, call **9-1-1**.
  4. It is suggested that a copy be placed in a file folder labeled “Completed Suspected Child Abuse Reports” in the school office. You may omit your name from this form if you wish to remain anonymous. Do **not** place this form in the student’s cumulative file. You may keep a copy for your personal documentation. **All information is strictly CONFIDENTIAL.**
  5. Once you make a “suspected” child abuse report, it is suggested that you inform your immediate supervisor or building administrator. Again, if anonymity is desired, simply mail a copy to your supervisor omitting your name and contact information.

[Reporting forms](#) are available in every school site office.

### Other References/Sources Of Information:

BP/AR 5141.4 Child Abuse Prevention and Reporting

➤ Available on the District Board Policies website:

<https://simbli.eboardsolutions.com/Policy/PolicyListing.aspx?S=36030362>

State of California Education Code, Section 48987

➤ Available on the State of California Legislation Information website

[http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=48987&lawCode=EDC](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=48987&lawCode=EDC)



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### SUSPECTED CHILD ABUSE REPORT (Pursuant to Penal Code section 11166)

[Print Form](#)
[Clear Form](#)

#### To Be Completed by Mandated Child Abuse Reporters

PLEASE PRINT OR TYPE

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

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

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

DO NOT submit a copy of this form to the Department of Justice (DOJ). The investigating agency is required under Penal Code section 11169 to submit to DOJ a Child Abuse or Severe Neglect Indexing Form BCIA 8583 if (1) an active investigation was conducted and (2) the incident was determined to be substantiated.





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## SUSPECTED CHILD ABUSE REPORT (Pursuant to Penal Code section 11166)

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

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

#### I. MANDATED CHILD ABUSE REPORTERS

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

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

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

#### III. REPORTING RESPONSIBILITIES

Any mandated reporter who has knowledge of or observes a child, in his or her professional capacity or within the scope of his or her employment, whom he or she knows or reasonably suspects has been the victim of child abuse or neglect shall report such suspected incident of abuse or neglect to a designated agency immediately or as soon as practically possible by telephone and shall prepare and send a written report thereof **within 36 hours** of receiving the information concerning the incident. (PC section 11166(a).)

No mandated reporter who reports a suspected incident of child abuse or neglect shall be held civilly or criminally liable for any report required or authorized by CANRA. Any other person reporting a known or suspected incident of child abuse or neglect shall not incur civil or criminal liability as a result of any report authorized by CANRA unless it can be proven the report was false and the person knew it was false or made the report with reckless disregard of its truth or falsity. (PC section 11172(a).)

#### IV. INSTRUCTIONS

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

#### IV. INSTRUCTIONS (*continued*)

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

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

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

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

#### V. DISTRIBUTION

**Reporting Party:** After completing form BCIA 8572, retain a copy for your records and submit copies to the designated agency.

**Designated Agency:** **Within 36 hours** of receipt of form BCIA 8572, the initial designated agency will send a copy of the completed form to the district attorney and any additional designated agencies in compliance with PC sections 11166(j) and 11166(k).

#### ETHNICITY CODES

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

# Procedures for Child Abuse Agency Investigations

|                         | Position            | Name            |
|-------------------------|---------------------|-----------------|
| First Point of Contact  | Principal           | Amy Mensing     |
| Second Point of Contact | Assistant Principal | Chase Hlcks     |
| Third Point of Contact  | Academic Coach      | Nicole Ammeraal |

## Victim Interviews by Social Services

Whenever the Department of Social Services 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 him/her of the following requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and 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.

|  |  |
|--|--|
| Interview Room   | Principal's Office                             |
| If a an employee declines being present at an interview adhere to the following procedures | Principal will take the place of the employee. |

# Procedures for Child Abuse Agency Investigations Continued

## 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)

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

| The following individuals must be notified of a student who is released to a peace officer: |                |
|---|----------------|
| Position  | Name           |
| Principal   | Amy Mensing    |
| Assistant Superintendent of Educational Services  | Jennifer Irvin |



## **II. EMERGENCY/DISASTER PREPAREDNESS**



## Panama-Buena Vista Union School District

# Emergency Operations Plan

**[CLICK HERE TO ACCESS PLAN](#)**



### DEVELOPED BY:

Jennifer Irvin

Assistant Superintendent of Educational Services

Nancy Gordon

Director of Health, Safety, and Wellness

Marisela Sanchez

Assistant Director of Health, Safety and Wellness

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### SUPERINTENDENT

Katie Russell



The “Drop, Cover and Hold On” actions are the response to an earthquake. The following poster is posted in high traffic areas including, the front office, library and Multi-Purpose Room. Teachers are encouraged to post the sign in their classrooms.

## If You Feel Shaking or Get an Alert:

If Possible



Using  
Cane



Using  
Walker



Using  
Wheelchair



[EarthquakeCountry.org/step5](http://EarthquakeCountry.org/step5)



## Responding to Homeland Security Levels

*The chart below indicates the steps our school takes to prepare and respond when the Department of Homeland Security adjusts its level of alertness.*

### HOMELAND SECURITY ADVISORY: SCHOOL SITE RESPONSES

|                              |   |
|------------------------------|---|
| <b>SEVERE<br/>(Red)</b>      | <ul style="list-style-type: none"> <li>• Complete all recommended actions at lower levels.</li> <li>• Follow local and/or federal government instructions: Listen to radio (e.g., KERN AM 1410; KUZZ FM 107.9)</li> <li>• Activate crisis plan</li> <li>• Be alert and immediately report suspicious activity to law enforcement.</li> <li>• Restrict school access to essential personnel</li> <li>• Close school if recommended and authorized by Superintendent.</li> <li>• 100% identification check</li> <li>• Offer lessons/information from District Crisis Prevention Team on how to cope with crisis, disaster, and terrorism.</li> <li>• Cancel outside activities and field trips</li> <li>• Ensure School Site Crisis Team members are available for students, staff, and faculty.</li> </ul>                               |
| <b>HIGH<br/>(Orange)</b>     | <ul style="list-style-type: none"> <li>• Assign staff to monitor entrances at all times</li> <li>• Assess facility security measures</li> <li>• Update parents and media on preparedness efforts (Communications Services)</li> <li>• Place school and District crisis team on standby alert status.</li> <li>• Complete all recommended actions at lower levels.</li> <li>• Be alert and immediately report suspicious activity to law enforcement. Review emergency procedures and supplies.</li> <li>• Offer lessons/information from District Crisis Prevention Team on how to cope with crisis, disaster, and terrorism.</li> <li>• Discuss children's fears concerning possible terrorist attacks in consultation with School Site Crisis Team.</li> <li>• Prepare to handle inquiries from anxious parents and media.</li> </ul> |
| <b>ELEVATED<br/>(Yellow)</b> | <ul style="list-style-type: none"> <li>• Inspect school buildings and grounds for suspicious activities</li> <li>• Assess increased risk with public safety officials</li> <li>• Review crisis response plans with school staff</li> <li>• Test alternative communication capabilities</li> <li>• Complete all recommended actions at lower levels.</li> <li>• Offer lessons/information from District Crisis Prevention Team on how to cope with crisis, disaster, and terrorism.</li> <li>• Ensure all emergency supplies are stocked and ready.</li> </ul>   |
| <b>GUARDED<br/>(Blue)</b>    | <ul style="list-style-type: none"> <li>• Review and upgrade security measures</li> <li>• Complete all recommended actions at lower level.</li> <li>• Be alert and immediately report suspicious activity to administration.</li> <li>• Inventory, test, and repair communication equipment</li> <li>• Inventory and restock emergency supplies</li> <li>• Provide safety training to staff and practice emergency drills pursuant to school emergency procedures.</li> <li>• Review communications plan and update emergency contact information.</li> <li>• Review emergency supplies and supplement as necessary.</li> <li>• Offer lessons/information from District Crisis Prevention Team on how to cope with crisis, disaster, and terrorism preparedness for natural disasters.</li> </ul>  |
| <b>Low<br/>(Green)</b>       | <ul style="list-style-type: none"> <li>• Develop school crisis and emergency plans.</li> <li>• Update school safety plans.</li> <li>• Provide CPR and first aid training for staff</li> <li>• Review duties and responsibilities of crisis team members</li> </ul>  |



## Emergency Contact Information

|                        |                             |                  |                        |
|------------------------|-----------------------------|------------------|------------------------|
| <b>School Name:</b>    | Berkshire Elementary School | <b>Phone:</b>    | 661-834-9472           |
| <b>Street Address:</b> | 3900 Berkshire Road         | <b>Zip Code:</b> | 93313                  |
| <b>City:</b>           | Bakersfield                 | <b>District:</b> | Panama-Buena Vista USD |

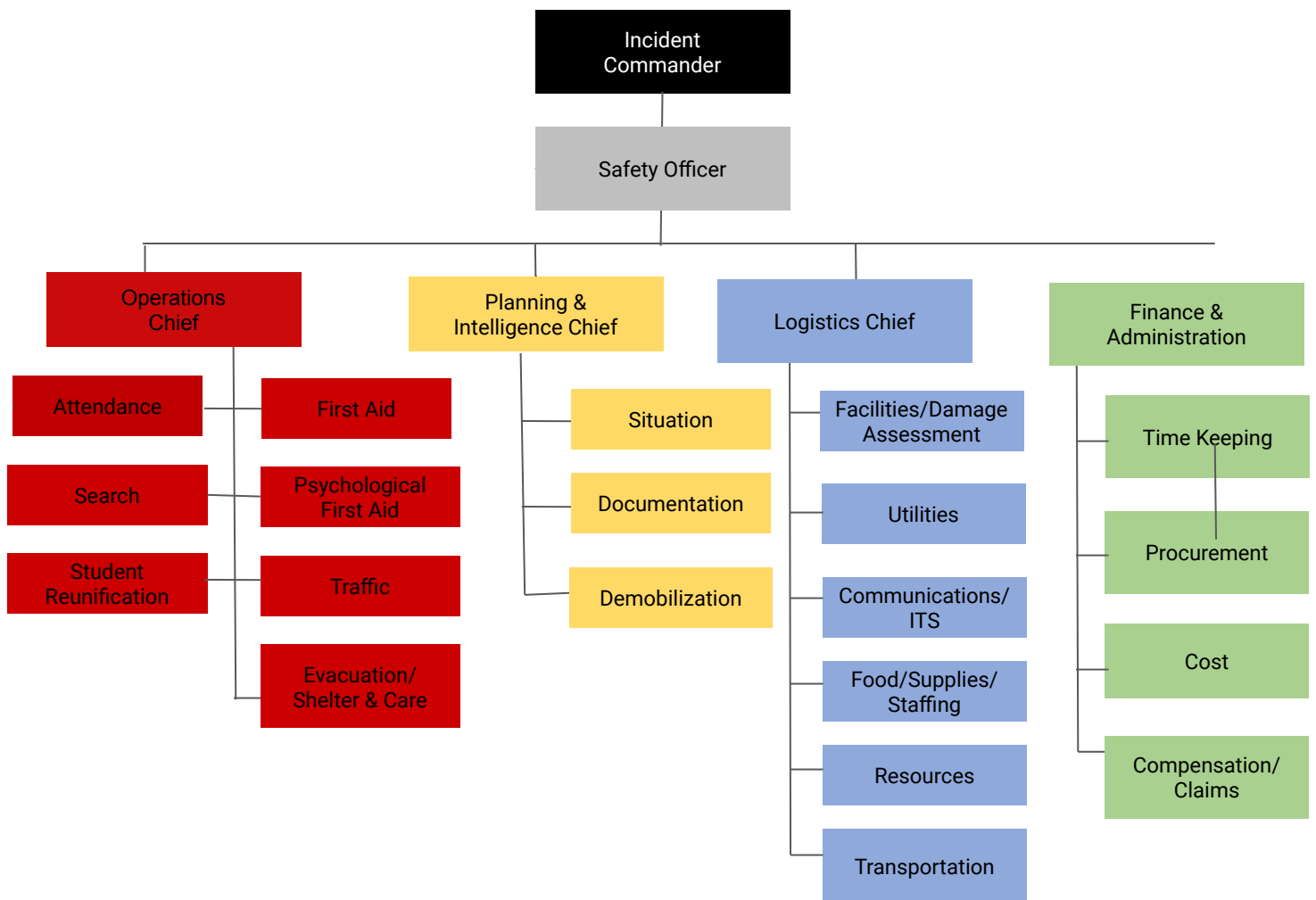
|  | NAME                                 | PHONE                           |
|--|--------------------------------------|---------------------------------|
| <b>Principal</b>                       | Amy Mensing                          | 661-834-9472 ext. 2610          |
| <b>Assistant Principal</b>             | Chase Tyler Hicks                    | 661-834-9472 ext 2611           |
| <b>District-wide Emergency Contact</b> | Jennifer Irvin, Asst. Superintendent | 661-831-8331 x6129 or x6177     |
| <b>School Secretary</b>                | Latunjia Johnson                     | 661-834-9472 Ext.2613           |
| <b>School Clerk</b>                    | Courtney Belvin/Vanessa Verjarano    | 661-834-9472 Ext. 2617 and 2612 |
| <b>Academic Coach</b>                  | Nicole Ammeraal/Miesha Norman        | 661-834-9472 Ext. 2639 and 2628 |
| <b>ACES Program Manager</b>            | Blanca Salcedo                       | 661-201-3479                    |
| <b>Day Care Manager</b>                | N/A                                  |                                 |
| <b>School Nurse</b>                    | Esmeralda Perez                      | 661-831-1906/ Ext. 6543         |
| <b>Cafeteria Manager</b>               | Dolores Saucedo                      | 661-834-9472/Ext. 2630          |
| <b>Custodian</b>                       | John Najera                          | 661-978-8875                    |
| <b>Superintendent</b>                  | Katie Russell                        | 661-831-8331 / Ext. 6104        |
|  | Sandie Taylor, Exec. Assistant       | 661-831-8331 / Ext. 6104        |
| <b>Business Services</b>               | Katie Gonzalez                       | 661-831-8331 / Ext. 6111        |
|  | Ashley Posey, Admin. Secretary Sr    | 661-831-8331 / Ext. 6111        |
| <b>Educational Services</b>            | Jennifer Irvin                       | 661-831-8331 / Ext. 6132        |
|  | Arian Miller, Admin. Secretary Sr    | 661-831-8331 / Ext. 6132        |
| <b>Human Resources</b>                 | Darryl Johnson                       | 661-831-8331 / Ext. 6353        |
|  | Lynn Sheetz, Admin Secretary Sr      | 661-831-8331 / Ext. 6353        |
| <b>Instructional Services</b>          | Brandie Dye                          | 661-831-8331 / Ext. 6102        |
|  | Laura Klugow, Admin Secretary Sr     | 661-831-8331 / Ext. 6102        |
| <b>Health, Safety and Wellness</b>     | Nancy Gordon, Director               | 661-831-8331 / Ext. 6177        |
|  | Michele Johnson                      | 661-831-8331 / Ext. 6177        |
| <b>Maintenance &amp; Operations</b>    | Mike Buckey, Director                | 661-831-8331 / Ext. 6437        |
|  | Ashley Ramirez, Admin. Assistant     | 661-831-8331 / Ext. 6442        |
| <b>Transportation</b>                  | Neff Perez, Director                 | 661-831-8331 / Ext. 6160        |
|  | Christina Lopez, Admin. Assistant    | 661-831-8331 / Ext. 6160        |
|  | ORGANIZATION                         | PHONE                           |
| <b>Gas/Electric Company</b>            | PG&E                                 | 800-743-5000                    |
| <b>Sewer Authority</b>                 | City of Bakersfield                  | 661-326-3111                    |
| <b>Water Company</b>                   | California Water Service             | 661-837-7200                    |
| <b>Nearest Hospital</b>                | Mercy South West                     | 661-663-6000                    |
| <b>Poison Control</b>                  | California Poison Control Center     | 800-222-1222                    |
| <b>Fire Station</b>                    | City of Bakersfield Fire Department  | 661-397-8159 or 911             |
| <b>Police/Sheriff Department</b>       | Police                               | 661-327-7111 or 911             |
|  | Sheriff Dept.                        | 661-391-7577 or 911             |
| <b>Other</b>                           | Red Cross                            | 661-324-6427                    |
|  | Bakersfield Animal Control           | 661-326-3436                    |

## Automated External Defibrillator (AED) Program CPR/AED Emergency Response Site Plan

Implementation of a school based AED program will ensure prompt response and treatment to victims who experience sudden cardiac arrest. The most effective treatment for this condition is the administration of an electrical current to the heart by a defibrillator. This is only applied to victims who are unconscious, without a pulse, signs of circulation and normal breathing. The AED will analyze the heart rhythm and advise the operator if a shockable rhythm is detected. If a shockable rhythm is detected, the AED will charge to the appropriate energy level and advise the operator to deliver a shock. Early defibrillation has been recognized as a significant factor in survival from incidents of sudden cardiac arrest.

|  |   |                        |            |
|--|---|------------------------|------------|
| <b>School Administrator:</b>   | Amy Mensing   | <b>Date:</b>           | 10/14/2024 |
| <b>Exact location of all AEDs:</b>   | MPR- On wall next to Boy's Restroom, Backpack in Office- outside of Health room |                        |            |
| <b>CPR/AED Emergency Response Staff :</b>  | <b>Position:</b>  | <b>CPR Expiration:</b> |            |
| Latunjia Johnson   | School Secretary  | 8/20/2025              |            |
| Courtney Belvin  | School Clerk  | 8/20/2027              |            |
| Jennifer Pacheco Rodriguez   | School Clerk  | 8/20/2026              |            |
| Cruz Falk  | 5 Hour Aide   | 9/15/2025              |            |
| Erica Ward   | BIA   | 5/22/2025              |            |
| Nathan Anthony   | BIA   | 8/20/2026              |            |
| <b>How will the Emergency Medical Service (EMS )be activated?</b>  |   |                        | Call 911   |
| <b>How will CPR/AED Emergency response be requested? Indicate by phone, radio, bell, and intercom.</b>   |   |                        |            |
| By radio, phone, bell, or intercom- by any means immediately available.  |   |                        |            |
| <b>Which CPR/AED Emergency Response Staff have building/room keys and access to the AED and will bring the AED to the emergency site?</b>  |   |                        |            |
| Esmeralda Perez  | Latunjia Johnson  | Courtney Belvin        |            |
| Jennfier Pacheco Rodriquez   | Erica Ward  |                        |            |
| Response staff will be responsible for documentation of the emergency. <ol style="list-style-type: none"> <li>1. School site staff will fill out Student Injury/Accident or Employee Accident/Injury forms.</li> <li>2. Send a copies to Health, Safety and Wellness.</li> </ol> |   |                        |            |

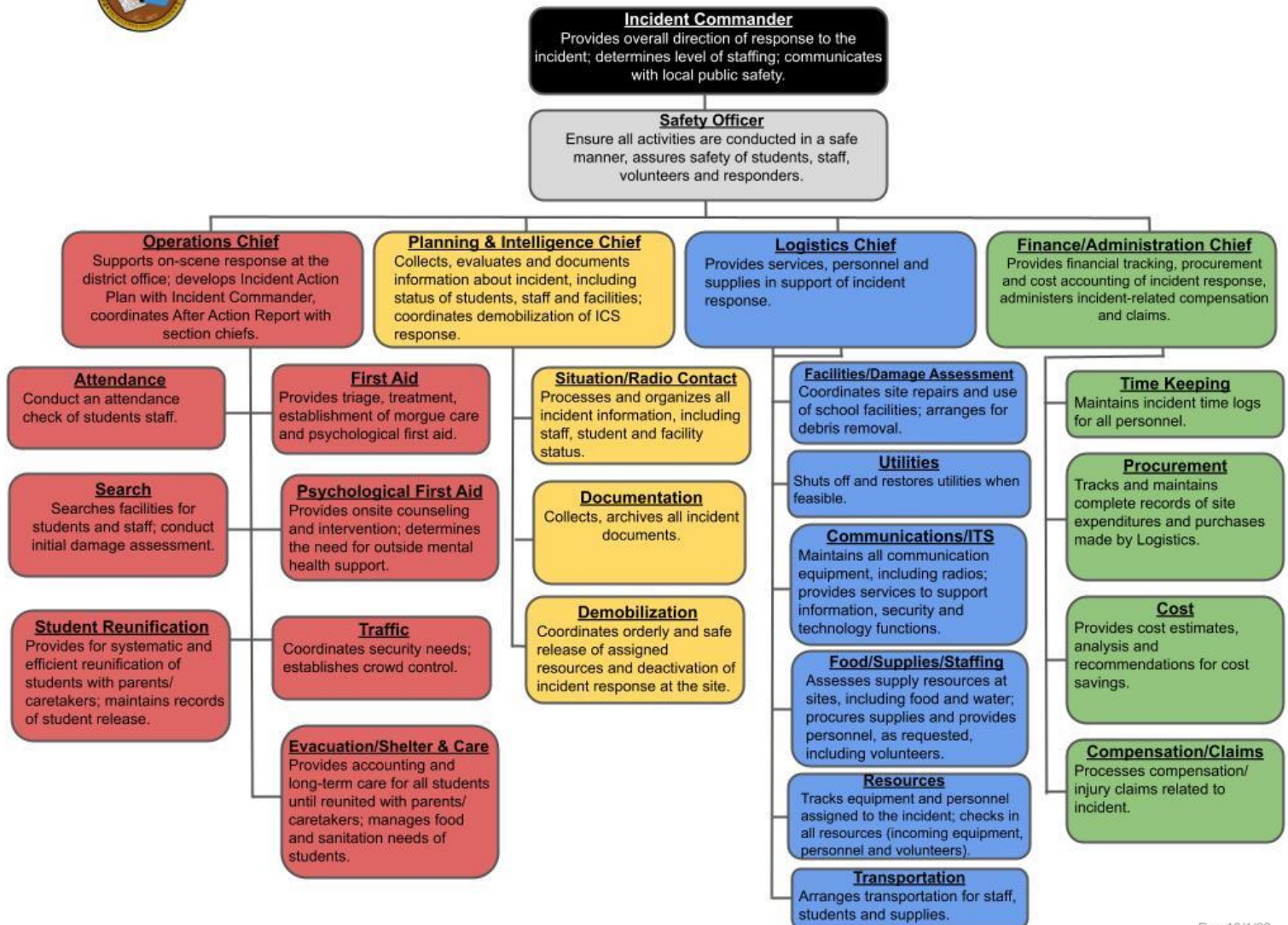
# School Site Incident Command System (ICS)



# School Site Incident Command System (ICS) Responsibilities



## School Site Incident Command System (ICS) Responsibilities



Rev 10/1/22

# 2024-25 ICS School Site - Google Slide Format

## Incident Command Post (ICP) Location

| Primary                             |  | Backup        |  |
|-------------------------------------|--|---------------|--|
| Shade Structure (Directly in front) |  | Basketball; C |  |
| Plans for loss of utilities         |  |               |  |
| Water                               | Store water in lab, or in C-train  |               |  |
| Restrooms                           | If restrooms are safe, have students use the restroom with a flashlight. If buildings are not safe, use portable restrooms with buckets.   |               |  |
| Food Service                        | Plan with site and district nutrition teams to provide nutritious meals to staff/students  |               |  |
| Fire Suppression                    | Fire Extinguishers- Locations indicated on school map  |               |  |
| Electricity                         | If buildings are safe, students can remain in rooms with windows/door open. Teachers will have the option of taking the students outside of their rooms on the blacktop, grass, tables, or shade structure |               |  |
| Ventilation                         | Open door/windows; take students outside if necessary  |               |  |
| Communication                       | Radios, cell phones, intercom system, school telephone system  |               |  |

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# Fire Code Requirements

Per California Fire Code Section (404.2.2)

**Fire Safety Plans** shall include the following:

1. The procedure for reporting a fire or other emergency.
2. Procedures for notifying occupants, including areas with a private mode alarm system.  
Procedures for occupants under a defend-in-place response.
3. Procedures for evacuating occupants, including those who need evacuation assistance.
4. A Site Plan which includes: the occupancy assembly point, the location of fire hydrants, and the normal routes of fire department vehicle access.
5. Floor Plans identifying the locations of: exits, primary evacuation routes, secondary evacuation routes, accessible egress routes (areas of refuge and exterior areas for assisted rescue), refuge areas associated with horizontal exits, manual fire alarm boxes, portable fire extinguishers, and fire alarm annunciators and controls.
6. Identification and assignment of personnel responsible for maintenance, housekeeping and controlling fuel hazard sources.

Per California Fire Code Section (404.2.1)

**Fire Evacuation Plans** shall include the following:

1. Emergency egress or escape routes and whether evacuation of the building is to be completed by selected floors or areas only, or with a defend-in-place response.
2. Procedures for the use of elevators to evacuate the building where occupant evacuation elevators complying with Section 3008 of the California Building Code are provided.
3. Procedures for assisted rescue for persons unable to use the general means of egress unassisted.
4. Procedures for accounting for employees and occupants after evacuation has been completed.
5. Identification and assignment of personnel responsible for rescue or emergency medical aid.
6. The preferred and any alternate means of notifying occupants of a fire or emergency.
7. The preferred and any alternative means of reporting fires and other emergencies to the fire department or designated emergency response organization.
8. Identification and assignment of personnel who can be contacted for further information or explanation of duties under the plan.
9. A description of the emergency voice/alarm communication system alert tone and preprogrammed voice messages, where provided.

# REGULATIONS FOR USE OF SCHOOL FACILITIES

## **Business Services Handbook - Section 10**

### **APPLICATION**

Use of School Facilities Agreement shall be completed and approved by the Superintendent or Designee. All schools will be responsible for placing approved events on their master calendar and proper notification of supervisory personnel involved. One agreement will be sufficient for meetings scheduled throughout the year. All agreements expire on June 30 of each school year.

### **FILING DATES AND CANCELLATIONS**

Applications must be filed two (2) weeks in advance of the time of the requested use of the facility. A seventy-two (72) hour notice of cancellation is required to the Business Services Department or charges will be incurred.

### **RESTRICTED USE OF SCHOOL FACILITIES**

#### **Use of School Property by Religious Groups**

- a. The religious group must provide a letter to the Board that they are planning to establish a church within the boundaries of the Panama Buena Vista Union School District.
- b. Use of school buildings shall be limited to the use of the MPR and Day Care. Any additional buildings are at the discretion of the District.
- c. Agreements shall not be signed for a period to exceed six (6) months, renewable for another (6) months on approval of the Board of Trustees. Any Agreement can be terminated by a thirty (30) day written notice by either party.

### **LIABILITY FOR DAMAGE TO SCHOOL PROPERTY**

School property must be protected from damage and mistreatment and ordinary precautions for cleanliness maintained. Groups shall be responsible for the condition in which they leave the school premises. In cases where school property has been damaged or abused beyond normal wear, the Group will be charged for the repair or replacement value.



**RENTAL FEES**

Rental charges shall be in conformance with the schedule adopted by the Board of Trustee.

**ACCEPTED USE OF SCHOOL FACILITIES AND EQUIPMENT**

Public use of school property is available to parent/teacher organizations, character-building organizations, and groups or clubs or citizens formed for recreational, educational, political, economic, cultural, artistic, or moral activities and are subject to the limitations, requirements and restrictions as set forth by these regulations.

**GENERAL RESTRICTIONS ON USE**

No use shall be inconsistent with the use of the buildings or grounds for school purposes, or interfere with the regular conduct of the school work. School functions will take precedence over previously scheduled meetings of outside organizations. In such cases, the organization will be notified by the Assistant Superintendent of Business Services or the Designee. Applications for uses not covered by the Civic Center Act or the Community Recreations sections of the Ed. Code shall be rejected.

**USE OF SCHOOL BUILDINGS AND EQUIPMENT FOR DISASTER SHELTERS**

Use of school property is available to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting public health and welfare; and the District may cooperate with such agencies in furnishing and maintaining such services as necessary to meet the needs of the community.

**USE REQUIRES WRITTEN STATEMENT**

Use of school property shall not be granted to any person or organization without delivery of the District provided written Statement of Information. Additional information may be required as requested by the Superintendent or Designee. The statement will continue in effect for the usage to which it was submitted and be valid no longer than the end of the fiscal year.

**HOLD HARMLESS AGREEMENT AND INSURANCE CERTIFICATION**

All organizations or groups seeking use of school premises must designate an individual who shall be held responsible for the group or organization and for the signing of the Application for Use of School Facilities. The Panama Buena Vista Union School District shall be held harmless as per the Hold Harmless Agreement, from any liability which might arise out of the use of the school facilities by applicant or organizations or groups. A certificate of insurance naming the school district as an additional insured is required.



## **III. SCHOOL SUSPENSION/ EXPULSION POLICIES**



The Panama-Buena Vista Union School District has established Board Policies related to Suspensions and Expulsions/Due Process. They may be found in Appendix G of this plan.

## **STUDENT MISCONDUCT AND DISCIPLINE**

### The Obligations of a Student While at School (5 CCR 300)

Every student must:

- Attend school punctually and regularly;
- Conform to the regulations of the school;
- Obey promptly all the directions of his teacher and others in authority;
- Observe good order and propriety of deportment; Be diligent in study; respectful to his/her teacher and others in authority; kind and courteous to schoolmates; and refrain entirely from the use of profane and vulgar language.

### Teachers Are Required to Hold Students to Strict Account for Misconduct (E.C. section 44807)

Every teacher must hold students to a strict account for their conduct on the way to and from school, on the playgrounds, or during recess. Teachers may exercise the amount of physical control that is reasonably necessary to maintain order, protect property, or protect the health and safety of pupils, or to maintain proper and appropriate conditions conducive to learning.

### Rules of the District Pertaining to Student Discipline (E.C. section 35291)

Student discipline is regulated by the California legislature and by board policy and procedures. The student discipline rules are detailed and exhaustive. Their purpose is to give school officials the legal authority to impose student discipline and also provide accused students with due process. The rules governing student discipline are more fully explained in board policies BP and AR 5144 and 5144.1.

### Prohibited Behavior (E.C. section 48900 and following)

If a student engages in prohibited behavior, in addition to other forms of corrective action, he/she may be disciplined, including in school suspension, suspension from school and expulsion from the school district, depending on the circumstances.

Prohibited behavior includes volitional conduct amounting to or related to: assault, battery, threat, alcohol, drugs including Soma, firearms, knives, explosives, other dangerous objects, drug paraphernalia, robbery, extortion, destruction of property, stealing, receiving stolen property, tobacco, obscene acts, habitual profanity, disrupting school activities, defying the valid authority of teachers, administrators, or other school

personnel, possessing an imitation firearm, sexual battery, sexual assault, intimidation of student witnesses, hazing, bullying sexual harassment, hate violence, harassment, intimidation and terroristic threats.

Classroom Correction and Non-Punitive in School Correction Preferred When Appropriate (E.C. sections 48900.5, 48900.6 and 48900.9)

Other means of correction are always preferred over in-school suspension, suspension from school, expulsion and any other form of exclusionary discipline that results in a pupil being removed from his/her regular classroom.

Suspension from School (E.C. section 48911)

A school principal (or the principal's duly assigned designee or the Superintendent) may suspend a pupil from school for any conduct prohibited by Section 48900. The maximum duration of any single suspension is five school days.

Expulsion from the School District (E.C. section 48918)

When appropriate, the governing board may expel a student from the school district for any conduct proscribed by the Education Code, except 48900(k) disruption/defiance. The student is entitled to a hearing and due process. If expelled, the student is to receive a Rehabilitation Plan and a copy of the procedures to apply for readmission to the district.

Discipline of a Disabled Student Who Is Eligible for Special Education Pursuant to IDEA or Section 504 (E.C. section 48915.5 and 20 USC 1415(k))

Federal law governs the authority of school districts to suspend and expel disabled children from school. If the misconduct is a manifestation of the student's disability, after 10 days of suspension, the student must be returned to the pre-suspension placement unless his/her IEP team and parents agree otherwise. A disabled student may not be expelled for misconduct which is a manifestation of the student's disability. The rules governing the discipline of students with disabilities are more fully explained in board policy AR 5144.2.

Student Searches (*New Jersey v. T.L.O.* (1985) 469 U.S. 325)

A warrant or probable cause is not necessary for searches of students by school officials and the level of suspicion to justify the search need not rise to the level of probable cause. Rather, such a search by school officials must be:

- Justified in its inception - it must be reasonable to suspect the items searched contain evidence of prohibited conduct;

- Reasonably related in scope to the circumstances which justified the search in the first place. That is, the measures adopted are reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

The rules governing search and seizure are more fully explained in board policy BP and AR 5145.12.

#### Law Enforcement Notification (E.C. section 48902)

The Education Code requires the school principal to notify law enforcement in cases of student misbehavior involving:

- Assault with a deadly weapon or other instrument;
- Assault by means of force likely to produce serious bodily injury;
- Use, possession or sale of drugs and alcohol;
- Arranging for the sale of a substance represented to be drugs or alcohol;
- Possession of a firearm within a school zone;
- Possession of other weapons such as dirks or daggers at school; and
- Possession or furnishing of a firearm or an explosive at school.

#### Release of a Student to a Peace Officer (E.C. section 48906)

If a school official releases your student from school to a peace officer for the purpose of removing your student from the school premises, the school official will take immediate steps to notify you or a responsible relative of your child, except when a student has been taken into custody as a victim of suspected child abuse. In those cases, the peace officer will notify the parent or responsible relative that the child is in custody and the place where the child is being held, unless the child would be endangered by disclosure of the place.

#### Property Damage or Personal Injury - Parents Liable (E.C. section 48904(a) and Civ. Code section 1714.1)

Parents are liable for property damage or personal injuries caused by their child's willful misconduct in an amount up to \$25,000.00.

#### Damaged Library Materials - Parents Liable (E.C. section 19910)

The parent or guardian of a minor who willfully and maliciously cuts, tears, defaces, breaks, or injures any book, map, chart, picture, engraving, statue, coin, model, apparatus, or other work of literature, art, mechanics, or object of curiosity, deposited in any public library, gallery, museum, collection, fair, or exhibition is liable for all damages so caused by the minor.

Overdue Library Materials - Parents Liable (E.C. section 19911)


The parent or guardian of a minor who willfully and maliciously detains any book, newspaper, magazine, pamphlet, manuscript, or other property belonging to any public or incorporated library, reading room, museum, or other educational institution, for 30 days after notice in writing to return the article or property, given after the expiration of the time for which by the rules of the institution the article or property may be kept, is liable for all damages so caused by the minor.

Withholding Grades, Diploma, or Transcript (E.C. section 48904(b))


When your child willfully damages school property or if school property is loaned to your child and your child refuses to return it when due, grades, diplomas and transcripts may be withheld. A voluntary work program in lieu of the payment of money may be arranged.

Attendance by Parent for a Portion of the School Day (E.C. 48900.1)

If your student willfully defies the authority of his/her teacher, disrupts classroom activity, commits an obscene act or habitually uses profanity or vulgarity, you may be required to attend school with your student for a portion of the school day.



## **IV. PROCEDURES TO NOTIFY TEACHERS OF DANGEROUS PUPILS**





In accordance with policy 4158, the Board of Trustees desires to provide a safe and orderly work environment for all employees. As part of the district's comprehensive safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing them with necessary assistance and support when emergency situations occur.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515 - Campus Security)

(cf. 5131.4 - Student Disturbances)

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

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

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

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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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

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

(cf. 5141 - Health Care and Emergencies)

### Reporting of Injurious Objects

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

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5144 - Discipline)

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

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

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

### **Regulation 4158: Employee Security**

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

Employees shall promptly report to the principal or other immediate supervisor any attack, assault, or physical threat made against them by a student. Both the employee and the principal or other immediate supervisor shall promptly report such instances to the appropriate local law enforcement agency. (Education Code 44014)

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

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

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

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

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

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

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

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

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

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

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

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

#### Procedures to Maintain Confidentiality of Student Offenses

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

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

**THREAT ASSESSMENT AND RESPONSE PROTOCOL®**

Comprehensive School Threat Assessment Guidelines

**OVERVIEW**

A threat is a communication of intent to harm someone that may be spoken, written, gestured, or expressed in some other form, such as via text messaging, email, or other digital means. An expression of intent to harm someone is considered a threat regardless of whether it is communicated to the intended target(s) and regardless of whether the intended target is aware of the threat. Threats may be implied by behavior that an observer would reasonably regard as threatening, planning, or preparing to commit a violent act. When in doubt, treat the communication or behavior as a threat and conduct a threat assessment. Threats that are not easily recognized as harmless (e.g., an obvious joke that worries no one) should be reported to the school administrator or other team members. The administrator or another team member makes a preliminary determination of the seriousness of the threat. The student, targets of the threat, and other witnesses should be interviewed to obtain information using this protocol. A *transient* threat means there is no sustained intent to harm and a *substantive* threat means the intent is present (or not clear) and therefore requires protective action. This form is a guide for conducting a threat assessment, but each case may have unique features that require some modification.

A threat assessment is not a crisis response. If there is indication that violence is imminent (e.g., person has a firearm at school or is on the way to school to attack someone), a crisis response is appropriate. Take immediate action such as calling 911 and follow the school crisis response plan.

**School Threat Assessment Decision Tree\*****Step 1. Evaluate the threat.**

Obtain a detailed account of the threat, usually by interviewing the person who made the threat, the intended victim, and other witnesses. Write the exact content of the threat and key observations by each party. Consider the circumstances in which the threat was made and the student's intentions. Is there communication of intent to harm someone or behavior suggesting intent to harm?

No →

Not a threat. Might be an expression of anger that merits attention.

Yes ↓

**Step 2. Attempt to resolve the threat as transient.**

Is the threat an expression of humor, rhetoric, anger, or frustration that can be easily resolved so that there is no intent to harm? Does the person retract the threat or offer an explanation and/or apology that indicates no future intent to harm anyone?

Yes →

Case resolved as transient; add services as needed.

No ↓

**Step 3. Respond to a substantive threat.**

For all substantive threats:

- Take precautions to protect potential victims.
- Warn intended victim and parents.
- Look for ways to resolve conflict.
- Discipline student, when appropriate.

Serious means a threat to hit, fight, or beat up whereas very serious means a threat to kill, rape, or cause very serious injury with a weapon.

Serious →

Case resolved as serious substantive threat; add services as needed.

Very Serious ↓

**Step 4. Conduct a safety evaluation for a very serious substantive threat.**

In addition to a-d above, the student may be briefly placed elsewhere or suspended pending completion of the following:

- Screen student for mental health services and counseling; refer as needed.
- Law enforcement investigation for evidence of planning and preparation, criminal activity.
- Develop safety plan that reduces risk and addresses student needs. Plan should include review of Individual Educational Plan if already receiving special education services and further assessment if possible disability.

**Step 5. Implement and monitor the safety plan.**

Document the plan.  
Maintain contact with the student.  
Monitor whether plan is working and revise as needed.

\*This 5-step decision tree is a revision of the original 7-step decision tree for the Virginia Student Threat Assessment Guidelines that retains the same information and procedures in a more condensed format.

**THREAT REPORT**

A threat is an expression of intent to harm someone that may be spoken, written, gestured, or communicated in some other form, such as via text message or email. Threats may be explicit or implied, directed at the intended target or communicated to a third party. Behavior that suggests a threat such as weapon carrying, fighting, or menacing actions should be investigated to determine whether a threat is present.

The process is designed for assessment of threats to harm others and is not intended for individuals who have only threatened to harm themselves. Only a small percentage of cases require both threat assessment and suicide assessment, and in those cases, the team should supplement this form with their choice of a standard suicide assessment protocol.

|   |                            |
|---|----------------------------|
| Name of person reporting threat:  | Date/time threat reported: |
| Affiliation of person reporting threat: <input type="checkbox"/> Student <input type="checkbox"/> Parent <input type="checkbox"/> Staff <input type="checkbox"/> Other: |                            |
| Name of person receiving the report:  |                            |

**INCIDENT or BEHAVIOR OF CONCERN**

|   |  |
|---|--|
| Name of person making threat:   | Date/time threat made:   |
| Affiliation of person making threat: <input type="checkbox"/> Student <input type="checkbox"/> Parent <input type="checkbox"/> Staff <input type="checkbox"/> Other _____   | Status: <input type="checkbox"/> Current <input type="checkbox"/> Former |
| Identification: <input type="checkbox"/> Male <input type="checkbox"/> Female Age:      Grade, if student:      School program, if student:   |  |
| Emergency Contact:  | Relationship:  |
| Home Address:   | Phone:   |
| Location threat occurred: <input type="checkbox"/> School Building or Grounds <input type="checkbox"/> School Bus/Other Travel <input type="checkbox"/> School-Sponsored Activity<br><input type="checkbox"/> Digital communication such as text or post <input type="checkbox"/> Other _____ |  |
| Summary of the incident or threat. What was reported? Include who said or did what to whom. Who else was present?   |  |

**ASSESSMENT FINDINGS** (All sources are not needed in most cases.)

| Sources of Information   | Was information reviewed?   | Relevant Findings (use additional pages as needed) |
|--|---|--|
| Prior threats  | <input type="checkbox"/> Reviewed <input type="checkbox"/> Not applicable<br><input type="checkbox"/> Not available |  |
| Prior discipline incidents   | <input type="checkbox"/> Reviewed <input type="checkbox"/> Not applicable<br><input type="checkbox"/> Not available |  |
| Academic records   | <input type="checkbox"/> Reviewed <input type="checkbox"/> Not applicable<br><input type="checkbox"/> Not available |  |
| Special education records  | <input type="checkbox"/> Reviewed <input type="checkbox"/> Not applicable<br><input type="checkbox"/> Not available |  |
| Other records  | <input type="checkbox"/> Reviewed <input type="checkbox"/> Not applicable<br><input type="checkbox"/> Not available |  |
| Records from other schools   | <input type="checkbox"/> Reviewed <input type="checkbox"/> Not applicable<br><input type="checkbox"/> Not available |  |
| Records from outside agencies (e.g., social services or mental health)         | <input type="checkbox"/> Reviewed <input type="checkbox"/> Not applicable<br><input type="checkbox"/> Not available |  |
| Law enforcement records (criminal history, contacts, firearms purchases, etc.) | <input type="checkbox"/> Reviewed <input type="checkbox"/> Not applicable<br><input type="checkbox"/> Not available |  |
| Employment records (grievances, disciplinary actions, Title IX, etc.)          | <input type="checkbox"/> Reviewed <input type="checkbox"/> Not applicable<br><input type="checkbox"/> Not available |  |



## **V. DISCRIMINATION, HARASSMENT, INTIMIDATION AND BULLYING**



## Discrimination, Harassment, Intimidation and Bullying

Berkshire prevents bullying, discrimination, intimidation and harassment by establishing a positive, collaborative school climate and clear expectations for student conduct. Students receive instruction by teachers, attend boot camp assemblies in the beginning of the year that reinforce our Eagle expectations and anti-bullying. Eagle Expectations are continually reinforced and taught as SWIS data determines the need. Students are taught if you see something, hear something, say something. This is reinforced daily in morning announcements.

School staff receives annual training including early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies.

We use the following protocol and procedures when investigating a bullying, discrimination, intimidation, or harassment.

- Separate the individuals, get names.
- Help the bullied person feel in control, assure the student it's not his/her fault.
- Document-write it down for follow up, get the facts (who, what, when, where, how).
- All complaints of bullying or harassment shall be investigated and resolved. Parents will be notified.
- Students are encouraged to save and print any messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.
- Any student who engages in cyberbullying using district-owned equipment, on school premises, or off-campus in a manner that impacts a school activity or school attendance shall be subject to discipline in accordance with district policies and regulations.
- If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the principal or designee also may file a complaint with the internet site or service to have the material removed. .



## Nondiscrimination/Harassment

| Measures to Prevent Discrimination  |  |
|---|--|
| District non-discrimination policy  | <a href="#">District website</a>   |
| Complaint procedures  | <a href="#">Complaint Assistance</a>   |
| School websites information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status. | <a href="#">School Website</a>   |
| Notification to all students and parents/guardians of the district's nondiscrimination policy   | <a href="#">District Parent Information Booklet</a><br><a href="#">School Site Student Handbook</a>  |
| Staff development   | <p>New employees of the Panama-Buena Vista Union School District receive this information through New Employee Orientation (TOR) and are required to complete the training before beginning work at a school site or department.</p> <p>All returning employees of the Panama-Buena Vista Union School District receive this information through the Annual Training (TAN) and are required to complete the beginning of each new school year.</p> |

### **Safe Place to Learn Act (E.C. sections 220, 221.5, 234.1 48900(r) and 48985)**

The district is committed to providing a safe school environment that is free from harassment and discrimination, and allows all students equal access and opportunities in the district's academic and other educational support programs, services, facilities, and activities. At any school or school-sponsored or school-related activity, the district prohibits unlawful discrimination, harassment, sexual harassment, intimidation, and bullying of any student based on the student's actual race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, immigration status, physical or mental disability, sex, sexual orientation, gender,

gender identity, or gender expression; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. Students who engage in discrimination, harassment, intimidation, bullying, or retaliation will be disciplined.

The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who has experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer. Once notified, the principal or compliance officer shall take the steps to investigate and address the allegation, as specified in the accompanying administrative regulation.

For copies of the district's anti-discrimination, anti-harassment, anti-intimidation, and anti-bullying policies or to file a complaint regarding a violation of these policies using the uniform complaint procedures form, please contact the district's Coordinator for Nondiscrimination Jennifer Irvin, Assistant Superintendent Educational Services, [jirvin@pbvUSD.k12.ca.us](mailto:jirvin@pbvUSD.k12.ca.us).

Each student is permitted to participate in sex-segregated school programs and activities and access facilities consistent with the student's gender identity, irrespective of the gender listed on the student's records. To ensure transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students, the district will address each situation on a case-by-case basis in accordance with law and board policy. If any student believes his/her privacy or religious beliefs and/or practices require increased privacy the student may contact the district's Coordinator for Nondiscrimination Jennifer Irvin, [jirvin@pbvUSD.k12.ca.us](mailto:jirvin@pbvUSD.k12.ca.us).

## Bullying

| Measures to Prevent Bullying  |  |
|---|--|
| Clear rules for student conduct and implements strategies to promote a positive, collaborative school climate   | <ul style="list-style-type: none"> <li>• <a href="#">District Parent Information Booklet</a></li> <li>• School Site Student Handbook (INSERT LINK to the left)</li> </ul>  |
| Information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying | <p>The Panama-Buena Vista Union School Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student. No individual or group shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, retaliate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel.</p> <ul style="list-style-type: none"> <li>• <a href="#">Parent Information Booklet</a></li> <li>• <b>Bark for Schools</b></li> </ul> |
| Anonymous reporting   | <ul style="list-style-type: none"> <li>• "If You See Something, Say Something®" program</li> </ul>   |
| Staff development   | <p>New employees of the Panama-Buena Vista Union School District receive this information through New Employee Orientation (TOR) and are required to complete the training before beginning work at a school site or department.</p> <p>All returning employees of the Panama-Buena Vista Union School District receive this information through the Annual Training (TAN) and are required to complete the beginning of each new school year.</p>   |



## **VI. SCHOOL-WIDE DRESS CODE**



## School-Wide Dress and Grooming

The emergency procedures implemented in this section are in accordance with AR 5132(a), E.C. 35183(d) and [APPENDIX E: Dress and Grooming](#):

### **Dress Code or Uniforms (E.C. section 35183(d))**

Pupils attending the schools of the Panama-Buena Vista Union School District are expected to wear clothing appropriate for the promotion of an effective educational program. It is not the intent of the District to oppose the rights of students regarding dress, but rather to assure the rights of all students are considered and upheld. It is the responsibility of the school to provide an atmosphere where all children will be able to learn. It is the responsibility of the students and their parents to help create and maintain this atmosphere.

Conditions of dress and appearance are:

1. Excessively large trousers, pants, and overalls may not be worn. All trousers and pants must be worn at the waist. Belt ends may not hang down. Overalls must be worn with straps on the shoulders, not hanging loose.
2. Commercial lettering or printing will be allowed on shirts and sweatshirts as long as it is appropriate for school. No clothing may be personalized other than with a given name. Any personalized printing or writing on clothing, backpacks, binders, etc. is not acceptable, nor is writing on the hands or other parts of the body.
3. Pants, shorts, or skirts with holes or heavy fraying above the knee are not acceptable.
4. Clothing that is excessively revealing is unacceptable. This includes:
  - a. Backless halter tops or dresses; tube tops; tops cut low at armpits or neckline.
  - b. Clothing that shows bare midriffs.
  - c. Shorts and skirts the length of which are shorter than mid-thigh.
  - d. Clothing that is transparent or revealing.
5. Suggestive clothing or objects may not be worn which are libelous, obscene, or depict illegal or gang-related activity. This includes buttons, arm bands, shirts, insignias, etc. Clothing with crude or vulgar printing or pictures depicting tobacco, drugs, alcoholic beverages or clothing that is sexually suggestive or disruptive is not acceptable.
6. Shoes must be worn at all times.
  - a. At elementary school sites, students may be restricted to wear footwear that has a strap or are completely enclosed. During Physical Education (P.E.), Intramurals, or any other designated physical activity, athletic shoes or completely enclosed shoes should be worn unless other arrangements have been made.
  - b. At junior high school sites, students may wear shoes or sandals without heel straps that do not present a safety concern. During P.E., Intramurals, or any other designated physical activity, athletic shoes or completely enclosed shoes should be worn unless other arrangements have been made.
  - c. Modifications will be at the discretion of the site principal or designee.
7. Cosmetics to the face and hair that distract from the educational process are unacceptable.

## School-Wide Dress and Grooming

### **Dress Code or Uniforms (E.C. section 35183(d)) (continued)**

The Board and administration reserve the right to declare any mode of dress, in their estimation, inhibits the educational process or threatens the safety and protection of all students as unacceptable. If students are dressed in an unacceptable manner, parents will be notified and corrective measures must be taken before the student will be allowed to return to class.

Coaches and teachers may impose more stringent dress requirements to accommodate the special needs of certain sports and/or classes.

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

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

### Gang-Related Apparel

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

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received.

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

# VII. SAFE INGRESS AND EGRESS

FINAL VERSION OF PLAN WITH  
DISTRICT/SCHOOL MAPS **NOT TO BE INCLUDED**  
**FOR PUBLIC VIEWING** AS IT CONTAINS  
SENSITIVE SAFETY INFORMATION



## Ingress and Egress of Staff and Student

The following maps and materials outline the procedures for safe ingress and egress from Berkshire Elementary School. ***Items marked with an \* are considered to be “tactical information” that will be withheld from the public view version of this plan.***

1. \*A map indicating student drop off and pick-up locations and the traffic flow patterns during arrival and dismissal from school.
2. \*A map indicating the supervision postings during arrival and dismissal from school.
3. \*A map and supervision schedule outlining supervision posts during school hours.
4. \*A description of the procedures required by visitors including any measures to ensure that visitor badges are not counterfeited.

Other items that may be outlined in this section are:

- Student valet programs
- Safe routes to and from schools
- Pedestrian crossings
- Crossing guard programs
- Bicycle procedures

**Panama-Buena Vista Union School District**  
**CLASSROOM VISITATION PROCEDURES**  
**(Observation of Instructional Program by Parents)**  
**From Adopted District Administrative Procedures**

Who May Visit: The right to observe a child's instructional program during classroom time resides solely with a child's parent, legal guardian, or foster parent and does not extend to grandparents, other interested close relatives, or caregivers as defined in Family Code Sections 6550-6552. A grandparent, close relative, or caregiver may schedule a classroom visit if a parent has provided written permission and the classroom teacher consents. Visits by grandparents, close relatives, or caregivers must be scheduled through the Principal rather than the classroom teacher.

Scheduling: Visits shall be scheduled by the classroom teacher for a time and date convenient to both the parent and the teacher. The parental observation date shall be within a reasonable time frame following the initial request. A request for a specific date must be made no less than 48 hours in advance.

Frequency and Duration: To minimize interruptions and distractions during valuable classroom time, parental classroom observations are limited to two visits per month per related student with a maximum duration of one hour per visit. If there is a need for more parental observation, additional visits may be scheduled through the Principal.

Parental Conduct During Classroom Visitation: Parents may enter and exit the classroom only once during each visit. Parents shall remain in the back of the classroom and may not interact with students or the teacher unless the interaction is initiated by the classroom teacher. Unnecessary noise and/or movement must be kept to a minimum.

The classroom teacher may direct a parent to leave the room if the parent's presence or conduct unduly interferes with the instructional program, and the parent must leave the classroom if directed to do so. Any concerns or complaints may be addressed directly to the classroom teacher after regular school hours or to the Principal.

Violation of Classroom Visitation Rules: A violation of the classroom visitation rules may be resolved by the classroom teacher through counseling of the offending parent privately. If this form of correction is not effective, the Principal may, as necessary, temporarily preclude a parent from visiting his/her child's classroom during regular school hours for a period of time not to exceed 14 continuous days.

When a parent has been precluded by the Principal from visiting his/her child's classroom, the parent may appeal the decision to the District's Assistant Superintendent in charge of Educational Services who will investigate and consider the matter in a timely fashion.

Notification of Classroom Visitation Procedures: Parents shall receive notification of classroom visitation procedures. The notification used should be substantially as follows:

“Parents are encouraged to visit their child’s classroom and observe the instructional program. Visits must be scheduled directly with the classroom teacher and, generally, at least 48 hours in advance.

“Distractions and interruptions seriously impair the educational process. To minimize distractions during valuable classroom time, parental visits are limited to twice per month for a maximum of one hour per visit. Additional visits may be scheduled through the Principal if more observation time is needed.

“While visiting, parents are generally required to remain quiet and in the back of the room in order to minimize the classroom interruption which a visitor’s presence typically causes.

“Copies of the school’s classroom observation procedures are available upon request.

REFERENCES: Education Code Sections 32212, 35160, 49091.10, 51101 PBVUSD Board Policy 1250

## OUTSIDERS/VISITORS CHECKLIST

**Goal of Checklist:** This checklist is intended to help establish a safety perimeter around the school, to control entry, exit, and removal of visitors and outsiders to the campus consistent with Board Policy AR 1250 Outsiders/Visitors.

**Checklist:**

- A notice has been posted at every entrance to school and school grounds setting forth visitor/outsider registration requirements, hours, during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements.
- All visitors to the campus, except students of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session.
- Visits during school hours, including classroom visits are arranged with the teacher and principal/designee and are subject to specific procedures and limitations.
- Appointments with teachers are set during non instructional time.
- Visitors shall wear a visible means of identification provided by the school for visits while on school premises.
- Employees direct visitors and outsiders without identification directly to the office.
- To register for entrance onto the campus, all visitors to the campus shall, upon request, furnish the principal designee with his/her name, address and occupation; his/her age, if less than 21; his/her purpose for entering school grounds; proof of identity; and other information consistent.
- “Outsiders” include every visitor to the school campus except the following: a student of the school, unless currently under suspension; a parent/guardian of a student of the school; a Governing Board member or district employee; a public employee whose employment requires being on school grounds, or any person who is on school grounds at the school’s request; a representative of a school employee organization who is engaged in activities related to the representation of school employees; an elected public official, and; a publisher, editor, reporter or other person connected with or employed by a newspaper, magazine, other periodical, radio station or television station.
- The principal/designee refuses to register any “outsider” if he/she reasonably concludes that the “outsider’s” presence or acts would disrupt the school, students, or employees; would result in damage to property; or would result in the distribution or use of a controlled substance.
- The principal/designee or school security officer revokes an “outsider’s” registration if he/she has a reasonable basis for concluding that the “outsider’s” presence on school grounds would interfere or is interfering with the peaceful conduct of school activities or would disrupt or is disrupting the school, students or staff.
- “Outsiders” who fail to register, or whose registration privileges have been denied or revoked, are directed to promptly leave school grounds and informed that if he/she reenters the school within 7 days he/she will be guilty of a misdemeanor subject to a fine and/or imprisonment.



## **VIII. MAINTAINING A SAFE AND ORDERLY ENVIRONMENT**



## Safe School Assessment Resources

The following resources were analyzed to develop an understanding of current conditions of school safety and standard practices to develop a comprehensive plan of action and procedures to ensure students, staff, and visitors are provided a safe and secure environment.

- School Accountability Report Card
- School Facility Good Repair Status
- Chronic Absenteeism Rates
- Local Crime Analysis
- KiDS Connectedness Survey Summary
- School Site Hazard and Vulnerability Assessment
- Neighborhood & Campus / Facility Risk Factors:
- Emergency Planning Rubric for Schools
  - The Rubric was created by a subcommittee of the Safer Schools Coalition of Kern with representation from Bakersfield Police Department, Kern County Sheriff's Office, Bakersfield City Fire Department, Kern County Fire Department, Kern High School District, Bakersfield City School District, and the Kern County Superintendent of Schools office. This tool is a fluid document, meaning it will be updated regularly as needed.
- School site goals and plans that create a safe and orderly environment conducive to learning at the school

# School Accountability Report Card

## Demographic Information

### Student Enrollment by grade level (school year 2023-2024)

This table displays the number of students enrolled in each grade level at the school.

| Grade Level             | Number of Students |
|-------------------------|--------------------|
| Kindergarten            | 170                |
| Grade 1                 | 125                |
| Grade 2                 | 135                |
| Grade 3                 | 136                |
| Grade 4                 | 138                |
| Grade 5                 | 149                |
| Grade 6                 | 156                |
| Grade 7-8               | 0                  |
| <b>Total Enrollment</b> | <b>1009</b>        |

### Student Enrollment by group (school year 2023-2024)

This table displays the percent of students enrolled at the school who are identified as being in a particular group.

| Student Group                    | Percent of Total Enrollment |
|----------------------------------|-----------------------------|
| Black or African American        | 7%                          |
| American Indian or Alaska Native | N/A                         |
| Asian                            | 12%                         |
| Filipino                         | N/A                         |
| Hispanic or Latino               | 71%                         |
| White                            | 6%                          |
| Two or More Races                | 1%                          |
| Socioeconomically Disadvantaged  | 85%                         |
| English Learners                 | 23%                         |
| Students with Disabilities       | 15%                         |
| Homeless                         | Less than 1%                |

## Suspensions and Expulsions

| Rate        | School 2021-22 | School 2022-23 | School 2023-24 |
|-------------|----------------|----------------|----------------|
| Suspensions | 1.81%          | 2.57%          | 2.4%           |
| Expulsions  | 0              | 0              | 0              |



## School Facility Good Repair Status (Most Recent Year)

This table displays the results of the most recently completed school site inspection to determine the school facility's good repair status.

Using the most recently collected FIT data (or equivalent), provide the following:

- Determination of repair status for systems listed
- Description of any needed maintenance to ensure good repair
- The year and month in which the data were collected
- The overall rating

| Year and month of the most recent FIT report:                                  |                  |   |
|--|------------------|---|
| System Inspected   | Rating           | Repair Needed and Action Taken or Planned |
| <b>Systems:</b> Gas Leaks, Mechanical / HVAC, Sewer                            | Good             |   |
| <b>Interior:</b> Interior Surfaces   | Good             |   |
| <b>Cleanliness:</b> Overall Cleanliness, Pest / Vermin Infestation             | Good             |   |
| <b>Electrical:</b> Electrical  | Good             |   |
| <b>Restrooms / Fountains:</b> Restrooms, Sinks / Fountains                     | Good             |   |
| <b>Safety:</b> Fire Safety, Hazardous Materials                                | Good             |   |
| <b>Structural:</b> Structural Damage, Roofs                                    | Good             |   |
| <b>External:</b> Playground / School Grounds, Windows / Doors / Gates / Fences | Good             |   |
| <b>Overall Rating</b>  | 100% / EXEMPLARY |   |

## **School Programs and Practices that Promote a Positive Learning Environment**

### **Promoting Home Safety**

Each parent with a student in our District receives information on how to promote safety at school and home ([District Parent Handbook](#)). This guide also gives all students and parents notice of the school's written codes of conduct by outlining behavioral expectations and consequences for violating these codes.

### **No Gun Access**

In an effort to keep everyone safe parents are encouraged to contact the school site if you suspect, have knowledge or suspicion that a student may be thinking of harming others with a weapon of any type. Parents must keep all weapons in a locked safe and or use trigger guards.

### **Suspensions and Expulsions**

Our schools identifies and tracks students with disciplinary history in the preceding three years. Teachers and any other certificated employee instructing or supervising a student are given notice of any suspendable or expellable offense committed by the student in their classroom. Our district tracks and monitors abd closely supervises students to help discourage their continued involvement in misbehavior and potential legal issues.

## Chronic Absenteeism Rates

### 2021-2022

| School Name | Cumulative Enrollment | Chronic Absenteeism Eligible Enrollment | Chronic Absenteeism Count | Chronic Absenteeism Rate |
|-------------|-----------------------|---|---------------------------|--------------------------|
| Berkshire   | 946                   | 946                                     | 428                       | 45.24%                   |

### 2022-2023

| School Name | Cumulative Enrollment | Chronic Absenteeism Eligible Enrollment | Chronic Absenteeism Count | Chronic Absenteeism Rate |
|-------------|-----------------------|---|---------------------------|--------------------------|
| Berkshire   | 948                   | 948                                     | 272                       | 28.69%                   |

### 2023-2024

| School Name | Cumulative Enrollment | Chronic Absenteeism Eligible Enrollment | Chronic Absenteeism Count | Chronic Absenteeism Rate |
|-------------|-----------------------|---|---------------------------|--------------------------|
| Berkshire   | 1009                  | 1009                                    | 228                       | 23%                      |

## **Crime Analysis 2023-2024**

# **Berkshire Crime Analysis** **Report**

## **Student Connectedness Survey Summary**

The Student Connectedness Survey was developed by the Chronic Absenteeism Work Group under the Kern Education Pledge (KEP) as a response to address chronic absenteeism and how the relationships between students and staff might be impacting attendance. This anonymous survey is for students that intends to measure student connectedness with school staff and the school as a whole and identify reasons why students are absent. Data from this survey will be used by the Chronic Absenteeism Work Group to inform strategies and action steps moving forward in support of the Kern Education Pledge. Data is provided back to district administrators to be shared with school officials to inform strategies and action steps to support students at the district and school level.

## **Berkshire Student Connectedness Survey Summary**

## **Yearly Safety Needs Assessment and Response**

Each year, our school conducts a safety needs assessment and takes the following actions:

- In addition to conducting fire and earthquake drills, our School will conduct lockdown, lockout and shelter in place drills.
- Our School has ensured first aid supplies are easily available to all classrooms.
- Our School will train staff to be prepared for emergency situations through distribution of our Safety Plan and the ideas contained herein, increasing opportunities to individually and collectively review our safety plans and the following:
  - Designate individuals and teams to help prevent, mitigate, respond and recover from a crisis or emergency.
  - Provide a completed copy of the “Emergency Information” section of this plan to each school employee.
  - Comply with our District’s media relations policy. All media inquiries will be routed to the Assistant Superintendent for Educational Services who will disseminate information to the media in a crisis situation.
  - Prepare for and use an Incident Command System, as described in the plan, to respond to a crisis or emergency.
  - Establish a Safety Procedure to respond to the emergency situations of most concern to staff, parents and students to include: violent intruder/active shooter, drive-by shooting, lockdown, lockout, evacuation, or unarmed intruder on campus.
  - Increase our effectiveness in communicating safety principles and procedures to parents by addressing the issue during Back-to-School Night and through our monthly newsletter.
  - Standardize methods for visitor registration, using a visitor identification method, confronting unarmed visitors without identification, and maintaining a fenced or monitored perimeter around the school while in session.

## Berkshire Elementary Hazard and Vulnerability Assessment

The following have been identified as prioritized areas of concern: (Provide detail and plan of action)

1. The lack of cameras on campus is a safety issue not only for our students on campus but for the neighboring communities.

**Plan of action:** We will discuss our concern with Superintendent Russell and Business Services. If the a District-wide plan for cameras is not on the District plans, we will write it into our 2025-2026 School Plan for Student Achievement (SPSA) so that we may budget for the purchase of cameras in the Berkshire SPSA.

2. The flow of traffic before and after school. The limited number of parking spots for staff/visitors/parents makes drop off and dismissal difficult especially with a 10 minute span between Primary and Intermediate Dismissal.

**Plan of Action:** Due to the limited amount of physical space creating more parking spots is not possible. We have adjusted the dismissal procedure to limit the amount of students waiting outside to be picked up. The dismissal procedure will be monitored and adjusted accordingly to need. Information about the dismissal procedure will be communicated frequently to the community.

3. The fence off of Berkshire Rd is open to the playground. We have had people stop, take pictures, and watch the students. This is a safety issues.

**Plan of Action:** We will discuss our concern with Paul Johnson, the Director of Facilities, Planning, and Construction to see about the possibility of putting a covering on the fencing similar to what we had done to the fence on the Kindergarten Playground

## Campus/Facility Characteristics and Surrounding Environment:

|   |   |  |
|---|---|--|
| <b>District Name:</b>   | Panama-Buena Vista Union School District  |  |
| <b>School site Name:</b>  | Berkshire Elementary School   |  |
| <b>Completed by:</b>  | Amy Mensing   |  |
| <b>Date Completed:</b>  | 10/7/2024   |  |
| <b>Staff and Student Characteristics</b>  |   |  |
| 1   | How many staff members are at this facility?                                      | 98   |
| 2   | What is the total enrollment of students?   | 1009   |
| 3   | Percentage of students enrolled in Bilingual/ESL Education.                       | 0  |
| <b>School/Facilities</b><br>(Input your answer by filling the box with the color black) |   |  |
| 4   | Which of the following best describes the school facility?                        | <input checked="" type="checkbox"/> Regular public school<br><input type="checkbox"/> Charter school<br><input type="checkbox"/> Have a magnet program for part of school<br><input type="checkbox"/> A complete magnet school<br><input type="checkbox"/> Other |
| 5   | Which of the following best describes the environment of the campus facility?     | <input type="checkbox"/> Urban<br><input checked="" type="checkbox"/> Suburban<br><input type="checkbox"/> Rural   |
| <b>Surrounding Environment</b>  |   |  |
| 6   | Adjacent to an interstate highway.  | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No   |
| 7   | Off a major (4-lane) road.  | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No   |
| 8   | On a busy residential road (not divided by a median)                              | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No   |
| 9   | Near an industrial area.  | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No   |
| 10  | Near a transportation hub (i.e. within 5 miles of an airport, port, bus station). | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No   |
| 11  | Near a gas pipeline.  | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No   |
| 12  | Near railroad tracks (within 1000 yards).   | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No   |
| 13  | Adjacent to business district (e.g. grocery, convenience, fast food, etc).        | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No   |
| 14  | In or near flood plain.   | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No   |



## Neighborhood & Campus / Facility Risk Factors:

Directions: For each risk below, please indicate the extent to which you think the factor is present for your school/facility

| <b>Risk Factors:</b><br>(The following factors can further assist school officials in appropriately meeting the safety concerns of their educational facilities by identifying risk within the surrounding community.) |   | Not Present | Minimally Present | Moderately Present | Extensively Present | Don't Know / Not Assessed |
|--|---|-------------|-------------------|--------------------|---------------------|---------------------------|
| 1  | Vandalism in neighborhood                                     |             | x                 |                    |                     |                           |
| 2  | High student mobility   |             | x                 |                    |                     |                           |
| 3  | Graffiti in neighborhood                                      |             | x                 |                    |                     |                           |
| 4  | Gang activity in neighborhood                                 |             | x                 |                    |                     |                           |
| 5  | Crime in neighborhood   |             | x                 |                    |                     |                           |
| 6  | Poverty in neighborhood                                       |             |                   | x                  |                     |                           |
| 7  | Trespassing on school grounds                                 |             | x                 |                    |                     |                           |
| 8  | Parent withdrawal of students due to safety concerns          | x           |                   |                    |                     |                           |
| 9  | Students adjudicated for weapons, drugs, alcohol, or assaults | x           |                   |                    |                     |                           |
| 10   | Sex offenders in neighborhood                                 |             | x                 |                    |                     |                           |
| 11   | Bullying, intimidation, harassment in school                  |             | x                 |                    |                     |                           |
| 12   | Student support services                                      |             |                   | x                  |                     |                           |
| 13   | Truancy   |             |                   | x                  |                     |                           |

## Natural, Technological, and/or Security Hazard Summary:

Directions: For each risk below, please indicate the likelihood and estimated impact of such occurrence.

|  | Likelihood of Occurrence* | Estimated Impact on Public Health & Safety | Estimated Impact on Property      |
|--|---------------------------|--|-----------------------------------|
| <b>Hazard Type:</b>  | <b>(See Below)</b>        | <b>Limited - Moderate - Major</b>          | <b>Limited - Moderate - Major</b> |
| <b>Natural</b>   |                           |  |                                   |
| Drought  | Occasionally              | Limited                                    | Limited                           |
| Earthquake   | Likely                    | Moderate                                   | Moderate                          |
| Flooding (River or Tidal)  | Unlikely                  | Limited                                    | Limited                           |
| Hurricane  | Highly Unlikely           | Limited                                    | Limited                           |
| Tornado/High Winds   | Likely                    | Limited                                    | Limited                           |
| Wildfire   | Unlikely                  | Limited                                    | Limited                           |
| Winter Storm   | Unlikely                  | Limited                                    | Limited                           |
| <b>Technological</b>   |                           |  |                                   |
| Dam Failure  | Unlikely                  | Limited                                    | Limited                           |
| Chemical   | Unlikely                  | Limited                                    | Limited                           |
| HazMat/Lab Spill (Fixed Site)  | Unlikely                  | Limited                                    | Limited                           |
| HazMat/Oil Spill (Transport)   | Unlikely                  | Limited                                    | Limited                           |
| Major Structural Fire  | Unlikely                  | Moderate                                   | Moderate                          |
| Nuclear Facility Incident  | Unlikely                  | Limited                                    | Limited                           |
| Water System Failure   | Unlikely                  | Limited                                    | Limited                           |
| Pipeline Leak/Explosion  | Unlikely                  | Limited                                    | Limited                           |
| Train Derailment   | Unlikely                  | Limited                                    | Limited                           |
| Power Outage   | Likely                    | Limited                                    | Limited                           |
| Transportation Accident  | Unlikely                  | Limited                                    | Limited                           |
| <b>Security</b>  |                           |  |                                   |
| Civil Disorder   | Unlikely                  | Limited                                    | Limited                           |
| Kidnapping/Abduction   | Unlikely                  | Limited                                    | Limited                           |
| Intruder in Building   | Unlikely                  | Limited                                    | Limited                           |
| Suicide  | Unlikely                  | Limited                                    | Limited                           |
| Weapons on Campus  | Unlikely                  | Limited                                    | Limited                           |
| Sexual Assault   | Unlikely                  | Limited                                    | Limited                           |
| <i>*Likelihood of Occurrence: Unlikely, Occasionally, Likely, or Highly Likely</i> |                           |  |                                   |

| Trespasser/Intruder Assessment  |   |                    |          |
|---|---|--------------------|----------|
| 1   | Date  | 10/30/2024         |          |
| 2   | Time  | 8:40               |          |
| 3   | Time gained entry                           | 8:41               |          |
| 4   | Entrance Points                             | Front Office       |          |
| 5   | First personal contact                      | Front Office Clerk |          |
| Visitor Policies & Procedures: Answer each question with: Yes, No, N/A (Not Applicable), or N/AS (Not Assessed) |   | Answer             | Comments |
| 6   | Were all but main entry door locked?        | Yes                |          |
| 7   | Was the main entry observed by staff?       | Yes                |          |
| 8   | Were classrooms easily accessible?          | No                 |          |
| 9   | Were you directed to the office?            | N/A                |          |
| 10  | Were you escorted to the office?            | N/A                |          |
| 11  | Were you asked to sign-in?                  | Yes                |          |
| 12  | Were you instructed to return and sign out? | Yes                |          |
| 13  | Were you asked to show picture ID?          | Yes                |          |
| 14  | Were you given a dated visitor pass?        | Yes                |          |
| 15  | Were visitor passes closely monitored?      | Yes                |          |
| 16  | Were students monitored by staff?           | N/A                |          |

## PREVENTION / MITIGATION

|                       |  | Site Has<br>Achieved | Planning / In<br>Progress | Future<br>Need | Not<br>Applicable |
|-----------------------|--|----------------------|---------------------------|----------------|-------------------|
| Target Hardening      | Fencing is present around entire perimeter of school site  | X                    |                           |                |                   |
|                       | Access to campus is limited through one entry point during the school day  | X                    |                           |                |                   |
|                       | When perimeter gates are unlocked, those entry points are staffed  | X                    |                           |                |                   |
|                       | A barricade of some kind exists between the school entrance/lobby and the interior of campus (e.g. vestibule, doorway, half-wall with gated access, etc.)                              | X                    |                           |                |                   |
|                       | Classroom doors remained locked from the outside when occupied (NOTE: locked door must be free from hardware that hinders egress during an emergency)                                  | X                    |                           |                |                   |
|                       | School Resource Officers (SRO) or security staff are employed  |                      |                           | X              |                   |
|                       | School site is equipped with surveillance cameras  |                      |                           | X              |                   |
| Visitor<br>Management | All visitors are required to sign-in and sign-out at the front office  | X                    |                           |                |                   |
|                       | Visitors must present a valid ID to gain access to campus  | X                    |                           |                |                   |
|                       | All visitors wear identification badges while on campus  | X                    |                           |                |                   |
|                       | All school staff wear identification badges  | X                    |                           |                |                   |
| School Climate        | The school site has a program in place to educate students and staff how to recognize the signs and signals of at-risk behavior and potential threats in social media                  |                      | X                         |                |                   |
|                       | The school site has a formal process for anonymous reporting safety threats (e.g. Sandy Hook Promise Say Something app or StopIt!)   | X                    |                           |                |                   |
|                       | The school site has a multi-tiered intervention team and process for identification and intervention of students/staff/visitors who may be at-risk of violence to themselves or others | X                    |                           |                |                   |
|                       | School site has in place a formal anti-bullying/kindness program (e.g. Safe School Ambassadors, Start With Hello, etc.)  |                      | X                         |                |                   |
| Fire Safety           | Flammable Liquids are properly stored and labeled in an approved safety container  | X                    |                           |                |                   |
|                       | Rubbish is disposed of daily and in a proper manner  | X                    |                           |                |                   |
|                       | In corridors/hallways, paper is restricted to bulletin boards and is fastened at all corners   | X                    |                           |                |                   |
|                       | In classrooms, papers and other non fire-retardant materials are limited to no more than 50% of wall space   | X                    |                           |                |                   |
|                       | Unused electronic outlets in kindergarten and preschool classrooms are protected with safety plugs   |                      | X                         |                |                   |
|                       | School site practices good housekeeping standards and keeps combustible materials to a minimum   | X                    |                           |                |                   |
|                       | Outlets are checked regularly to ensure they are not being overloaded  | X                    |                           |                |                   |
|                       | School site prohibits the use of portable heaters  | X                    |                           |                |                   |
|                       | School site prohibits the use of lighted candles and plug-in air fresheners  | X                    |                           |                |                   |

# PREPAREDNESS

|                          |  | Site Has<br>Achieved | Planning / In<br>Progress | Future<br>Need | Not<br>Applicable |
|--------------------------|--|----------------------|---------------------------|----------------|-------------------|
| Safety Audits /<br>Plans | School site has used Hazard and Vulnerability Assessment Worksheet to complete its safety audit  | X                    |                           |                |                   |
|                          | School walk-through conducted with trained personnel (e.g., trained staff, law enforcement partner, safety consultant, liability insurance provider, etc.)   | X                    |                           |                |                   |
|                          | Annual safety audits and meetings are conducted with a fire agency   | X                    |                           |                |                   |
|                          | School site is compliant with all California Ed Code requirements related to the Comprehensive Safe Schools Plan (sections 32280-32289)  | X                    |                           |                |                   |
| SEMS / NIMS / ICS        | An Emergency Operations Plan (EOP) is in place, which uses the Incident Command System (ICS)   | X                    |                           |                |                   |
|                          | EOPs identify personnel for all ICS positions, including: Operations Section Chief, Logistics Section Chief, Planning/Intel Section Chief, Finance/Admin Section Chief, Public Information Officer, Safety Officer and External Agencies Liaison                               | X                    |                           |                |                   |
|                          | Drills have been conducted using ICS   | X                    |                           |                |                   |
|                          | Possible Incident Command Post (ICP) locations are identified  | X                    |                           |                |                   |
| Communications           | Campus-wide communication system has intercom functionality so that verbal emergency prompts may be relayed, including to portable building  | X                    |                           |                |                   |
|                          | Emergency toolkit (an actual box or similar container that will be taken to an Incident Command POC) has been created and includes general communication supplies such as bullhorns, walkie-talkies, school maps/floor plans, emergency contact numbers, pertinent forms, etc. | X                    |                           |                |                   |
|                          | An automated communication system with both telephone and intercom capabilities that enables teacher initiated communications with the office has been installed   | X                    |                           |                |                   |
|                          | An emergency Communication Plan is in place, which includes procedures for notifying the following stakeholders of an emergency: district office, county office of education, parents, news media.   | X                    |                           |                |                   |
|                          | A list of staff and cell phone numbers are available for emergency responders (e.g., Smart 911)  | X                    |                           |                |                   |
|                          | Protocols for employing all available channels or communication to present timely, accurate, and consistent information exist (e.g. all-call system, media relations, website, social media, etc.)   | X                    |                           |                |                   |
|                          | Key staff have two-way radios  | X                    |                           |                |                   |
| Supply                   | Supplies on hand are adequate  | X                    |                           |                |                   |
|                          | Emergency "Go Kits" are on hand  | X                    |                           |                |                   |
| Student Training         | All students have been trained on active assailant protocols (e.g. Run, Hide, Fight)   | X                    |                           |                |                   |
|                          | All students have been trained on emergency response protocols (e.g. Lockout, Lockdown, Evacuate, & Shelter)   | X                    |                           |                |                   |
|                          | All students have been trained on recognizing the signs and signals of at-risk behavior and potential threats in social media  |                      | X                         |                |                   |
|                          | All students have been trained on ways they may report at-risk behavior, bullying, threats or other potential problems   | X                    |                           |                |                   |

## PREPAREDNESS CONTINUED

|                          |   | Site Has<br>Achieved | Planning / In<br>Progress | Future<br>Need | Not<br>Applicable |
|--------------------------|---|----------------------|---------------------------|----------------|-------------------|
| Staff Training           | All school staff know his/her role and responsibilities during a crisis or emergency  |                      | X                         |                |                   |
|                          | Key staff have been trained in ICS, know their specific roles and understands each other's roles in case someone is unable to perform a critical task |                      | X                         |                |                   |
|                          | All staff has been trained on active assailant protocols (e.g. Run, Hide, Fight)  | X                    |                           |                |                   |
|                          | All staff has been trained on emergency response protocols (e.g. Lockout, Lockdown, Evacuate, & Shelter)  | X                    |                           |                |                   |
|                          | All staff are familiar with school floor plans and trained on evacuation routes   | X                    |                           |                |                   |
|                          | All staff has been trained on recognizing the signs and signals of at-risk behavior and potential threats in social media                             | X                    |                           |                |                   |
|                          | All staff has been trained in basic triage  | X                    |                           |                |                   |
|                          | Key staff has been trained and demonstrated proficiency in CPR/First Aid/AED  | X                    |                           |                |                   |
|                          | Key staff has been trained in childhood reaction to crisis (e.g. Administration and counselors)   | X                    |                           |                |                   |
|                          | Key staff has been trained to provide conflict resolution, de-escalation and/or anger management  | X                    |                           |                |                   |
|                          | All staff has been trained in the identification of suspicious packages/materials   |                      |                           |                | X                 |
| Established Partnerships | The school site has an established contact at the law enforcement agency of jurisdiction  | X                    |                           |                |                   |
|                          | Campus vulnerability audits, Emergency Operations Plan, and Comprehensive School Safety Plans are developed in partnership with external agencies     | X                    |                           |                |                   |
|                          | School Site Council (SSC) or district school safety committees (SSC) have been formed and meet regularly  | X                    |                           |                |                   |
| Facilities               | A marquee or sign clearly indicating the school site's name is clearly visible from the street  | X                    |                           |                |                   |
|                          | Exterior building numbers/letters are visible from at least 50 feet   | X                    |                           |                |                   |
|                          | All exterior classroom doors are numbered and clearly visible   | X                    |                           |                |                   |
|                          | All classroom doors are numbered on the outside   | X                    |                           |                |                   |
|                          | The school has a Knox Box or other secure key storage system to provide quick access to keys by first responders                                      | X                    |                           |                |                   |
|                          | Emergency responders have been provided hard or electronic copies of site plans and floor plans of all school properties                              | X                    |                           |                |                   |
|                          | Site plans and floor plans of all s school properties are available to emergency responders   | X                    |                           |                |                   |

## PREPAREDNESS CONTINUED

|             |   | Site Has<br>Achieved | Planning / In<br>Progress | Future<br>Need | Not<br>Applicable |
|-------------|---|----------------------|---------------------------|----------------|-------------------|
| Fire Safety | School site has a fire safety plan in Safe School Plan per California Fire Code   | X                    |                           |                |                   |
|             | School site has the telephone number of the fire department in the main office  | X                    |                           |                |                   |
|             | School site has assignment of responsible person(s) to call the fire department upon notification of any fire or activation of the alarm system for any reason other than fire drills | X                    |                           |                |                   |
|             | Primary and alternate fire evacuation routes are posted in each classroom and common area   | X                    |                           |                |                   |
|             | Instructions to be followed by the classroom teacher in the event of a fire evacuation are posted in each classroom   |                      | X                         |                |                   |
|             | School site has designated assembly areas which are located a safe distance from the building being evacuated so as to avoid interference with fire department operations             | X                    |                           |                |                   |
|             | Evacuation assembly areas are arranged to keep each class separate to provide accountability of all individuals   | X                    |                           |                |                   |
|             | Emergency Drills are conducted at the following intervals per school year: Fire Drills: 4; Earthquake Drills: 2; Lockdown Drills: 2; Lockout Drills: 1                                | X                    |                           |                |                   |
|             | AED Checks  | X                    |                           |                |                   |

## RESPONSE

|           |  | Site Has<br>Achieved | Planning / In<br>Progress | Future<br>Need | Not<br>Applicable |
|-----------|--|----------------------|---------------------------|----------------|-------------------|
| Protocols | School site uses the Standard Response Protocol (SRP) (Lockout, Lockdown, Evacuate, Shelter)                   | X                    |                           |                |                   |
|           | School site follows an active assailant protocol (e.g. Run, Hide, Fight)                                       | X                    |                           |                |                   |
|           | Protocols and drills include accommodations for students with physical disabilities and/or other special needs |                      | X                         |                |                   |
| Lockout   | Protocol enables school administrator OR law enforcement to activate a Lockout                                 | X                    |                           |                |                   |
|           | Students and staff know how to respond to the Lockout directive  |                      | X                         |                |                   |

## RESPONSE CONTINUED

|            |   | Site Has<br>Achieved | Planning / In<br>Progress | Future<br>Need | Not<br>Applicable |
|------------|---|----------------------|---------------------------|----------------|-------------------|
| Lockdown   | Protocol enables school administrator OR law enforcement to activate a Lockdown                                     | x                    |                           |                |                   |
|            | Students and staff know how to respond to Lockdown directive  | x                    |                           |                |                   |
|            | Classroom doors can be locked from the <u>inside</u> with hardware meeting fire code                                |                      | x                         |                |                   |
|            | Classroom lights can be turned off  | x                    |                           |                |                   |
|            | Classroom windows can easily be covered   | x                    |                           |                |                   |
|            | “Safe Zones” have been established in each classroom and common areas where occupants can remain out of view        |                      | x                         |                |                   |
|            | A barricade device or strategy is in place for each classroom/common area to enhance locked doors during a lockdown |                      | x                         |                |                   |
| Evacuation | Students and staff know how to respond to the Evacuate directive  | x                    |                           |                |                   |
|            | Maps of evacuation routes and assembly areas are made available to staff  | x                    |                           |                |                   |
|            | Staff are aware of where emergency supplies are located and/or “Go Kits”  | x                    |                           |                |                   |
|            | Fire evacuation plans are in place  | x                    |                           |                |                   |
| Shelter    | Students and staff know how to respond to the Shelter directive   | x                    |                           |                |                   |
|            | Earthquake response protocols are well-established and drilled (e.g. Drop, Cover, & Hold)                           | x                    |                           |                |                   |
|            | HazMat response protocols are well-established and drilled (e.g. Seal the Room/HVAC shut off)                       | x                    |                           |                |                   |

## RECOVERY

|                |   | Site Has<br>Achieved | Planning / In<br>Progress | Future<br>Need | Not<br>Applicable |
|----------------|---|----------------------|---------------------------|----------------|-------------------|
| Post-Emergency | Mental health staff are trained in crisis intervention and psychological first aid            | x                    |                           |                |                   |
|                | There is a process for identifying staff and students that may need additional services       | x                    |                           |                |                   |
|                | Procedures are in place to ensure timely and safe family reunification following an emergency |                      | x                         |                |                   |
|                | Staff is trained on recognition of PTSD   | x                    |                           |                |                   |
|                | A process to debrief after an emergency is in place   |                      | x                         |                |                   |



## Evaluation of Prior Year's CSSP Goals

**An evaluation of the school's progress in fulfilling Action Plans/Goals outlined in the 2023-2024 CSSP was performed by the School Safety Taskforce.**

### Component #1 - People and Programs

|   |  |
|---|--|
| Explain areas of pride or strength.                           | The Student Support Team meets once a week to discuss, support, and design targeted Tier 2 support and interventions for our students with behavior needs.                             |
| Were objectives met? Why?                                     | Yes, we have set a schedule to meet on Friday's at 10:00 am., created a spreadsheet entitled: Referrals and Tier 2. The spreadsheet houses all our of information and plans of action. |
| Identify deficiencies in meeting objectives?                  | None- in fact our goal was twice a month and we are meeting regularly each week.   |
| Explain how the objectives/ action plans can be strengthened. | Continue meeting and refining our protocols and procedures as needed.  |

### Component #2 - Places

|   |   |
|---|---|
| Explain areas of pride or strength.                           | A positive and supportive campus environment supported by our Eagle PBIS signage and positive affirmations so that the norm is to acknowledge and affirm positive behaviors, thoughts and actions to change students' attitudes and their actions.  |
| Were objectives met? Why?                                     | Yes, we implemented an online PBIS store which allowed students to spend their Eagle Bucks—earned through positive actions. The store and activities were great reinforcers for positive behavior. Additionally, we implemented the Positivity Project where students received daily lessons on twenty-four different character traits. Further, we implemented Suite360 that allowed instructional staff to assign social emotional lessons aimed at promoting positive behaviors. |
| Identify deficiencies in meeting objectives?                  | No deficiencies were identified.  |
| Explain how the objectives/ action plans can be strengthened. | We need to continue to support, encourage, train, and refine our PBIS system. Revisiting as need using data collected from SWIS and the number of referrals.  |
|   |   |

## CSSP Goals

### Component 1: People and Programs - Create a Caring and Connected School Culture

After analyzing data, resources, and desired areas of change, we have determined that the following priorities for action are necessary to create a safe, secure campus and a positive learning environment emphasizing responsible and respectful behavior.

| Goal |            |  |
|------|------------|--|
| S    | Specific   | What is your objective? Who is involved and responsible? Be clear and specific.  |
|      |            | Objective: Berkshire aims to create a caring and connected school culture that notices and responds to student absences in proactive, positive way. The Student Team, classroom teachers, and support staff will each hold a role in establishing this positive connection.  |
| M    | Measure    | How will you measure your progress?  |
|      |            | Progress will be monitored through the Student Connectedness Survey given twice yearly—once in the fall and once in the spring.  |
| A    | Attainable | How will you accomplish your goal?   |
|      |            | The Student Support Team will monitor absences and divide nearly chronic and chronically absent students amongst the team. The team will then work alongside the classroom teacher to identify any barriers to the student's attendance. Additionally the team and teacher will establish a positive attendance program for these students to encourage their participation at school. Support staff will be trained in positive greetings at the door to celebrate all students attendance regardless of their attendance status. |
| R    | Relevant   | How is your goal this relevant to the <a href="#">District's Strategic Plan</a> ? Explain.   |
|      |            | Student Achievement - When students are present at school, they achieve at higher rate than those who do not have regular attendance. From the National Center of Education Statistics a national survey revealed that students with an attendance rate of 95% or higher are more likely to earn grades of A or B, while those with a lower rate are more likely to fall behind academically.  |
| T    | Timely     | Describe your timeline.  |
|      |            | The Student Support Team will meet weekly to review current attendance data and to support attendance issues that are revealed.  |

## CSSP Goals

### Component 2: Places - Create a Physical Environment That Communicates Respect for Learning and for Individuals

After analyzing data, resources, and desired areas of change, we have determined that the following priorities for action are necessary to create a safe, secure campus and a positive learning environment emphasizing responsible and respectful behavior.

| Goal |            |   |
|------|------------|---|
| S    | Specific   | What is your objective? Who is involved and responsible? Be clear and specific.   |
|      |            | Berkshire objective is a create a coordinated and collaborative approach to student safety by equipping grade levels and support staff with radios that would allow instant communication both in an emergency and for day to day operations. |
| M    | Measure    | How will you measure your progress?   |
|      |            | To measure our progress, we will complete a baseline inventory of radios to determine a ratio of radios to staff members. Upon completion of inventory, we will then purchase additional radios to lower the ratio of radios to staff.        |
| A    | Attainable | How will you accomplish the goal?   |
|      |            | To accomplish goal we will work with our ordering clerk, library media clerk, and Health, Safety, and Wellness Department to order appropriate radios, barcode, and distribute amongst staff.   |
| R    | Relevant   | How is your goal this relevant to the <a href="#">District's Strategic Plan</a> ? Explain.  |
|      |            | Wellness, Safety, and Equity for All - By having a low radio to staff ratio, Berkshire is ensuring student safety is priority for all. The response time for emergencies will be reduced.   |
| T    | Timely     | Describe your timeline.   |
|      |            | Within the 2024-2025 school year Berkshire will complete the inventory, purchase, and distribute radios.  |

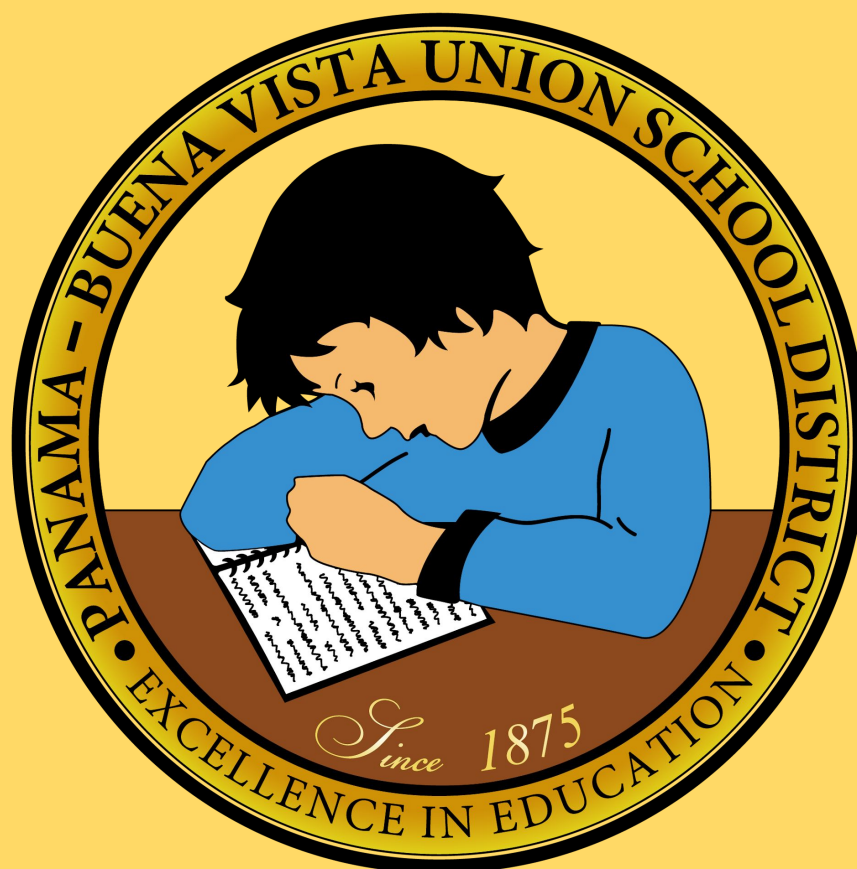


# **IX. RULES AND PROCEDURES ON SCHOOL DISCIPLINE**



# Panama-Buena Vista Union School District

**[CLICK HERE TO ACCESS PLAN](#)**



## Discipline Guide For Administrators

# **X. TACTICAL RESPONSES TO CRIMINAL INCIDENTS**

**FINAL VERSION WITH DISTRICT/SCHOOL  
INFORMATION NOT TO BE INCLUDED FOR PUBLIC  
VIEWING AS IT CONTAINS SENSITIVE SAFETY  
INFORMATION**

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# APPENDIX A:

## Values, Vision, Mission, and District Goals

### Philosophy, Goals, Objectives, and Comprehensive Plans

**AR 0000**

#### VISION

The Superintendent or designee shall establish a process for developing and regularly reviewing the district's vision and direction which includes:

1. Clearly defined procedures, timelines and responsibilities.
2. Identification of the strengths and needs of the district
3. Input from parents/guardians, students, staff and community members through procedures which may include surveys, focus groups, advisory committees and/or public meetings and forums

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 2230 - Representative and Deliberative Groups)*

*(cf. 6020 - Parent Involvement)*

4. Board adoption of district vision statements at a public meeting

As part of this process, the Superintendent or designee shall provide the Board of Trustees with relevant district documents and data, including current district mission and vision statements, if any, and information about student demographics, student achievement, student enrollment patterns, current programs and recent program cuts, staffing and professional development needs, budget trends, facilities, technology and emerging educational issues.

*(cf. 0100 - Philosophy)*

*(cf. 0200 - Goals for the School District)*

*(cf. 0400 - Comprehensive Plans)*

**[CLICK HERE for the  
2021 - 2024 Pillars of Excellence Strategic Plan Priorities](#)**



**Philosophy, Goals, Objectives, and Comprehensive Plans****BP 0000****VISION**

In order to provide a clear focus for district programs, activities and operations, the Board of Trustees shall adopt a long-range vision that sets direction for the district which is focused on student learning and describes what the Board wants its schools to achieve. This vision may be incorporated in various documents, including the district's mission or purpose statement, philosophy, long-term goals, short-term objectives, and/or comprehensive plans.

*(cf. 0100 - Philosophy)*

*(cf. 0200 - Goals for the School District)*

*(cf. 0400 - Comprehensive Plans)*

*(cf. 9000 - Role of the Board)*

The Superintendent or designee shall recommend an appropriate process for establishing and/or reviewing the district's vision statement which is inclusive of parents/guardians, students, staff and community members.

The Board shall review the district vision statements at least every three years or whenever a new Board member or Superintendent joins the district. Following these reviews the Board may revise or reaffirm the direction it has established for the district.

The Superintendent or designee shall communicate the district's vision to staff, parents/guardians and the community and shall regularly report to the Board regarding district progress toward the vision.

*(cf. 0500 - Accountability)*

*(cf. 1100 - Communication with the Public)*

*Management Resources:*

CSBA PUBLICATIONS

Maximizing School Board Leadership: Vision, 1996

WEB SITES

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

**Philosophy, Goals, Objectives, and Comprehensive Plans****BP 0100(a)****PHILOSOPHY**

As part of its responsibility to establish a guiding vision for the district, the Board of Trustees shall develop and regularly review a set of fundamental principles which describes the district's beliefs, values or tenets. The Board and district staff shall incorporate this philosophy in all district programs and activities.

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School District)*

*(cf. 9000 - Role of the Board)*

It is the philosophy of the district that:

1. All students can learn and succeed.
2. Every student in the district, regardless of gender, special needs, or social, ethnic, language or economic background has a right to a high-quality education that challenges the student to achieve to his/her fullest potential.
3. The future of our nation and community depends on students possessing the skills to be lifelong learners and effective, contributing members of society.
4. A safe, nurturing environment is necessary for learning.
5. Parents/guardians have a right and an obligation to participate in their child's schooling.
6. The ability of children to learn is affected by social, health and economic conditions and other factors outside the classroom.
7. Early identification of student learning and behavioral difficulties contribute to student success.
8. Students and staff respond positively to high expectations and recognition for their accomplishments.
9. Continuous school improvement is necessary to meet the needs of students in a changing economy and society.
10. The diversity of the student population and staff enriches the learning experience for all students.
11. A highly skilled and dedicated staff has a direct and powerful influence on students' lives and learning.

**Philosophy, Goals, Objectives, and Comprehensive Plans****BP 0200(a)**

12. A high level of communication, trust, respect and teamwork among Board members and the Superintendent contributes to effective decision making.
13. The community provides an essential resource to the educational program.
14. Effective communication with all stakeholders helps build support for the schools.
15. Accountability for the district's programs and operations is shared by the entire educational community, with the ultimate accountability resting with the Board as the basic embodiment of representative government.

*Legal Reference:*EDUCATION CODE*51002 Local development of programs based on stated philosophy and goals**51019 Definition of philosophy**Management Resources:*CSBA PUBLICATIONSMaximizing School Board Leadership: Vision, 1996**GOALS FOR THE SCHOOL DISTRICT**

As part of the Board of Trustees' responsibility to set direction for the school district, the Board shall adopt long-term goals focused on the achievement of all district students. The district's goals shall be aligned with the district's vision, mission, philosophy, and priorities.

*(cf. 0000 - Vision)**(cf. 0100 - Philosophy)**(cf. 9000 - Role of the Board)*

In developing goals and identifying strategies to achieve those goals, the Board and Superintendent shall solicit input and review from key stakeholders. The Board shall also review and consider quantitative and/or qualitative data, including data disaggregated by student subgroup and school site, to ensure that district goals are aligned with student needs.

Goals shall be established for all students and each numerically significant subgroup as defined in Education Code 52052, which may include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, and foster youth, and shall address each of the state priorities identified in Education Code 52060 and any additional local priorities established by the Board. These goals shall be incorporated into the district's local control and accountability plan (LCAP). (Education Code 52060, 52062, 52063; 5 CCR 15497)

**GOALS FOR THE SCHOOL DISTRICT (continued)****BP 0200(b)**

*(cf. 0460 - Local Control and Accountability Plan)*  
*(cf. 3553 - Free and Reduced Price Meals)*  
*(cf. 6159 - Individualized Education Program)*  
*(cf. 6173.1 - Education for Foster Youth)*  
*(cf. 6174 - Education for English Language Learners)*

The LCAP shall include a clear description of each goal, one or more of the state or local priorities addressed by the goal, any student subgroup(s) or school site(s) to which the goal is applicable, and expected progress toward meeting the goal for the term of the LCAP and in each year. (5 CCR 15497)

Each year the district's update to the LCAP shall review progress toward the goals and describe any changes to the goals. (Education Code 52060-52061)

*(cf. 0500 - Accountability)*  
*(cf. 6190 - Evaluation of the Instructional Program)*

In addition to the goals identified in the LCAP, and consistent with those goals, the district and each school site may establish goals for inclusion in another district or school plan or for any other purpose. Such goals may address the improvement of governance, leadership, fiscal integrity, facilities, community involvement and collaboration, student wellness and other conditions of children, and/or any other areas of district or school operations. As appropriate, each goal shall include benchmarks or short-term objectives that can be used to determine progress toward meeting the goal.

*(cf. 0400 - Comprehensive Plans)*  
*(cf. 0420 - School Plans/Site Councils)*  
*(cf. 0440 - District Technology Plan)*  
*(cf. 5030 - Student Wellness)*  
*(cf. 6171 - Title I Programs)*  
*(cf. 7110 - Facilities Master Plan)*

**Legal Reference:**

**EDUCATION CODE**

*17002 State School Building Lease-Purchase Law, including definition of good repair*  
*42238.01-42238.07 Local control funding formula*  
*44258.9 County superintendent review of teacher assignment*  
*51002 Local development of programs based on stated philosophy and goals*  
*51020 Definition of goal*  
*51021 Definition of objective*  
*51041 Evaluation of the educational program*  
*51210 Course of study for grades 1-6*

**GOALS FOR THE SCHOOL DISTRICT (continued)****BP 0200(c)***Legal Reference Continued:**51220 Course of study for grades 7-12**52050-52059 Public Schools Accountability Act, especially:**52052 Academic Performance Index; numerically significant student subgroups**52060-52077 Local control and accountability plan**60119 Sufficiency of textbooks and instructional materials; hearing and resolution**64000-64001 Consolidated application process***CODE OF REGULATIONS, TITLE 5***15497 Local control and accountability plan template***UNITED STATES CODE, TITLE 20***6311 Accountability, adequate yearly progress**6312 Local educational agency plan***Management Resources:****CSBA PUBLICATIONS***State Priorities for Funding: The Need for Local Control and Accountability Plans. Fact Sheet, August 2013***WEB SITES***CSBA: <http://www.csba.org>**California Department of Education: <http://www.cde.ca.gov>*

## **APPENDIX B:**

# **Earthquake Emergency Procedure System**

**Business and Non-Instructional Operations**

**AR 3516.3(a)**

### **EARTHQUAKE EMERGENCY PROCEDURE SYSTEM**

#### **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)

*(cf. 0450 - Comprehensive Safety Plan)*

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)

*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*

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)

1. A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of students and staff
2. 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.
3. Protective measures to be taken before, during, and following an earthquake
4. A program to ensure that students and staff are aware of and properly trained in the earthquake emergency procedure system

**EARTHQUAKE EMERGENCY PROCEDURE SYSTEM (continued)****AR 3516.3(b)***(cf. 4131 - Staff Development)**(cf. 4231 - Staff Development)**(cf. 4331 - Staff Development)*

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.

**Earthquake While Indoors at School**

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

1. 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.
2. In laboratories, burners should be extinguished, if possible, before taking cover.
3. As soon as possible, staff shall move students away from windows, shelves, and heavy objects or furniture that may fall.
4. 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.
5. 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 EMERGENCY PROCEDURE SYSTEM (continued)****AR 3516.3(c)****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:

1. Staff shall direct students to walk away from buildings, trees, overhead power lines, power poles, or exposed wires.
2. Staff shall have students perform the drop procedure.
3. 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.

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

**Subsequent Emergency Procedures**

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

1. Staff shall extinguish small fires if safe.
2. Staff shall provide first aid to any injured students, take roll, and report missing students to the principal or designee.
3. Staff and students shall refrain from lighting any stoves or burners or operating any electrical switches until the area is declared safe.
4. All buildings shall be inspected for water and gas leaks, electrical breakages, and large cracks or earth slippage affecting buildings.
5. 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.



**EARTHQUAKE EMERGENCY PROCEDURE SYSTEM (continued)****AR 3516.3(d)**

6. 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.
7. The principal or designee shall contact the Superintendent or designee and request further instructions after assessing the earthquake damage.
8. 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.

(cf. 1112 - Media Relations)

(cf. 1112 - Media Relations)

**Legal Reference:****EDUCATION CODE**

32280-32289 School safety plans

**GOVERNMENT CODE**

3100 Public employees as disaster service workers

8607 Standardized Emergency Management System

**CODE OF REGULATIONS, TITLE 19**

2400-2450 Standardized Emergency Management System

**Management Resources:****CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES PUBLICATIONS**

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

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

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

**FEDERAL EMERGENCY MANAGEMENT AGENCY PUBLICATIONS**

Guidebook for Developing a School Earthquake Safety Program, 1990

**WEB SITES**

American Red Cross: <http://www.redcross.org>

California Governor's Office of Emergency Services: <http://www.caloes.ca.gov>

California Seismic Safety Commission: <https://ssc.ca.gov/>

Federal Emergency Management Agency:

<https://www.fema.gov/emergency-managers/risk-management/earthquake>

National Incident Management System: <http://www.fema.gov/emergency/nims>

## **APPENDIX C:**

# **Emergency and Disaster Preparedness Plan**

**Business and Non Instructional Operations**

**AR 3516(a)**

### **EMERGENCIES AND DISASTER PREPAREDNESS PLAN**

#### **Components of the Plan**

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

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

*(cf. 3516.1 - Fire Drills and Fires)*

2. Earthquake or other natural disasters

*(cf. 3516.3 - Earthquake Emergency Procedure System)*

3. Environmental hazards

*(cf. 3514 - Environmental Safety)*

*(cf. 3514.2 - Integrated Pest Management)*

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

*(cf. 3515 - Campus Security)*

*(cf. 3515.2 - Disruptions)*

*(cf. 5131.4 - Student Disturbances)*

5. Bomb threat or actual detonation

*(cf. 3516.2 - Bomb Threats)*

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

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

*(cf. 5141.22 - Infectious Diseases)*

**EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)****AR 3516(b)**

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

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

*(cf. 3530 - Risk Management/Insurance)*

2. Instruction and practice for students and employees regarding emergency plans, Including:
  - a. Training of staff in first aid and cardiopulmonary resuscitation
  - b. Regular practice of emergency procedures by students and staff

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

3. Specific determination of roles and responsibilities of staff during a disaster or other emergency, including determination of:
  - a. The appropriate chain of command at the district and, if communication between the district and site is not possible, at each site
  - b. Individuals responsible for specific duties
  - c. Designation of the principal for the overall control and supervision of activities at each school during the emergency, including authorization to use his/her discretion in situations which do not permit execution of prearranged plans
  - d. Identification of at least one person at each site who holds a valid certificate in first aid and cardiopulmonary resuscitation
  - e. Assignment of responsibility for identification of injured persons and administration of first aid
4. Personal safety and security, including:
  - a. Identification of areas of responsibility for supervision of students
  - b. Procedures for evacuation of students and staff, including posting of evacuation routes
  - c. Procedures for release of students, including a procedure to release students when reference to the emergency card is not feasible

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

*(cf. 5142 - Safety)*

**EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)****AR 3516(c)**

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

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

- e. Provision of a first aid kit to each classroom
- f. Arrangements for students and staff with special needs

*(cf. 4032 - Reasonable Accommodation)*

*(cf. 6159 - Individualized Education Program)*

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

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

*(cf. 4261.1 - Personal Illness/Injury Leave)*

*(cf. 5113 - Absences and Excuses)*

*(cf. 6183 - Home and Hospital Instruction)*

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

*(cf. 3516.5 - Emergency Schedules)*

- 6. Communication among staff, parents/guardians, the Board of Trustees, other governmental agencies, and the media during an emergency, including:
  - a. Identification of spokesperson(s)

*(cf. 1112 - Media Relations)*

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

*(cf. 1113 - District and School Web Sites)*

**EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)****AR 3516(d)**

- c. Development of methods to ensure that communications are, to the extent practicable, in a language and format that is easy for parents/guardians to understand
  - d. Distribution of information about district and school site emergency procedures to staff, students, and parents/guardians
7. Cooperation with other state and local agencies, including:
- a. Development of guidelines for law enforcement involvement and intervention
  - b. Collaboration with the local health department, including development of a tracking system to alert the local health department to a substantial increase of student or staff absenteeism as indicative of a potential outbreak of an infectious disease

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

8. Steps to be taken after the disaster or emergency, including:
- a. Inspection of school facilities
  - b. Provision of mental health services for students and staff, as needed

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

**Business and Non Instructional Operations****BP 3516(a)****EMERGENCIES AND DISASTER PREPAREDNESS PLAN**

The Board of Trustees recognizes that all district staff and students must be prepared to respond quickly and responsibly to emergencies, disasters, and threats of disaster.

The Superintendent or designee shall develop and maintain a disaster preparedness plan which details provisions for handling emergencies and disasters and which shall be included in the district's comprehensive school safety plan. (Education Code 32282)

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 3516.3 - Earthquake Emergency Procedure System)*

The Superintendent or designee shall also develop and maintain emergency plans for each school site.

In developing the district and school emergency plans, the Superintendent or designee shall collaborate with city and county emergency responders, including local public health Administrators.

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

The Board shall grant the use of school buildings, grounds, and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The Board shall cooperate with such agencies in furnishing and maintaining whatever services they deem necessary to meet the community's needs. (Education Code 32282)

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

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

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

*(cf. 4119.3/4219.3/4319.3 - Duties of Personnel)*

**Legal Reference:****EDUCATION CODE**

32001 Fire alarms and drills

32040 Duty to equip school with first aid kit

32280-32289 School safety plans

32290 Safety devices

39834 Operating overloaded bus

46390-46392 Emergency average daily attendance in case of disaster

**EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)****BP 3516(b)***Legal Reference Continued:**49505 Natural disaster; meals for homeless students; reimbursement*GOVERNMENT CODE*3100 Public employees as disaster service workers**8607 Standardized emergency management system*CODE OF REGULATIONS, TITLE 5*550 Fire drills**560 Civil defense and disaster preparedness plans*CODE OF REGULATIONS, TITLE 19*2400-2450 Standardized emergency management system*UNITED STATES CODE, TITLE 42*12101-12213 Americans with Disabilities Act**Management Resources:*CSBA PUBLICATIONS*Avian Influenza, Governance and Policy Services Fact Sheet, April 2006**911! A Manual for Schools and the Media During a Campus Crisis, 2001*CALIFORNIA EMERGENCY MANAGEMENT AGENCY PUBLICATIONS*School Emergency Response: Using SEMS at Districts and Sites, June 1998*CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS*Pandemic Influenza Planning Checklist, 2006*CONTRA COSTA COUNTY OFFICE OF EDUCATION*Pandemic Flu School Action Kit, June 2006*U.S. DEPARTMENT OF EDUCATION PUBLICATIONS*Practical Information on Crisis Planning: A Guide for Schools and Communities, May 2003*WEB SITES*CSBA: <http://www.csba.org>**American Red Cross: <http://www.redcross.org>**California Department of Education, Crisis Preparedness: <http://www.cde.ca.gov/ls/ss/cp>**California Office of Emergency Management Agency: <https://www.caloes.ca.gov/>**California Seismic Safety Commission: <https://ssc.ca.gov/>**Centers for Disease Control and Prevention: <http://www.cdc.gov>**Contra Costa County Office of Education, Pandemic influenza resources:**[http://www.cccoe.k12.ca.us/about/flu/resources\\_flu\\_action\\_kit](http://www.cccoe.k12.ca.us/about/flu/resources_flu_action_kit)**Federal Emergency Management Agency: <http://www.fema.gov>**U.S. Department of Education, Emergency Planning:**<http://www.ed.gov/admins/lead/safety/emergencyplan>**U.S. Department of Homeland Security: <http://www.dhs.gov>*

## APPENDIX D:

# Sexual Harassment Of or By Students

### Students

**BP 5145.7(a)**

#### SEXUAL HARASSMENT

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

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

*( cf.410 - Nondiscrimination in District Programs and Activities)*

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

*(cf. 5131 - Conduct)*

*(cf. 5131.2 - Bullying)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5141.4 - Child Abuse Prevention and Reporting)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

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

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

*(cf. 1312.3 - Uniform Complaint Procedures)*

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



**SEXUAL HARASSMENT (continued)****BP 5145.7(b)****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 where 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. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
6. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable

**Disciplinary Actions**

Any student who engages in sexual harassment or sexual violence at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to

disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

*(cf. 5144 - Discipline)*

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

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

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

**SEXUAL HARASSMENT (continued)****BP 5145.7(c)***Legal Reference Continued:*COURT DECISIONS*Donovan v. Poway Unified School District*, (2008) 167 Cal.App.4th 567*Flores v. Morgan Hill Unified School District*, (2003, 9th Cir.) 324 F.3d 1130*Reese v. Jefferson School District*, (2001, 9th Cir.) 208 F.3d 736*Davis v. Monroe County Board of Education*, (1999) 526 U.S. 629*Gebser v. Lago Vista Independent School District*, (1998) 524 U.S. 274*Oona by Kate S. v. McCaffrey*, (1998, 9th Cir.) 143 F.3d 473*Doe v. Petaluma City School District*, (1995, 9th Cir.) 54 F.3d 1447*Management Resources:*CSBA PUBLICATIONS*Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students*, Policy Brief, February 2014*Safe Schools: Strategies for Governing Boards to Ensure Student Success*, 2011U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS*Questions and Answers on Title IX and Sexual Violence*, April 2014*Dear Colleague Letter: Sexual Violence*, April 4, 2011*Sexual Harassment: It's Not Academic*, September 2008*Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties*, January 2001WEB SITESCSBA: <http://www.csba.org>California Department of Education: <http://www.cde.ca.gov>U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

**Students****AR 5144(a)****DISCIPLINE****Site-Level Rules**

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

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

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

Annually, site-level discipline rules shall be reviewed and, if necessary, updated to align with any changes in district discipline policies or goals for school safety and climate as specified in the district's local control and accountability plan. A copy of the rules shall be filed with the Superintendent or designee for inclusion in the comprehensive safety plan.

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 0460 - Local Control and Accountability Plan)*

School rules shall be communicated to students clearly and in an age-appropriate manner. It shall be the duty of each employee of the school to enforce the school rules on student discipline. (Education Code 35291)

**Disciplinary Strategies**

To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Except when a student's presence causes a danger to himself/herself or others or he/she commits a single act of a grave nature or an offense for which suspension or expulsion is required by law, suspension or expulsion shall be used only when other means of correction have failed to bring about proper conduct. Disciplinary strategies may include, but are not limited to:

**DISCIPLINE (continued)****AR 5144(b)**

1. Discussion or conference between school staff and the student and his/her parents/guardians

*(cf. 5020 - Parent Rights and Responsibilities)*

*(cf. 6020 - Parent Involvement)*

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

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

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

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

*(cf. 6164.5 - Student Success Teams)*

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

*(cf. 6159 - Individualized Education Program)*

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

5. Enrollment in a program for teaching prosocial behavior or anger management
6. Participation in a restorative justice program
7. A positive behavior support approach with tiered interventions that occur during the school day on campus
8. Participation in a social and emotional learning program that teaches students the ability to understand and manage emotions, develop caring and concern for others, make responsible decisions, establish positive relationships, and handle challenging situations capably
9. Participation in a program that is sensitive to the traumas experienced by students, focuses on students' behavioral health needs, and addresses those needs in a proactive manner

**DISCIPLINE (continued)****AR 5144(c)**

10. After-school programs that address specific behavioral issues or expose students to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups

*(cf. 5148.2 - Before/After School Programs)*

11. Recess restriction as provided in the section below entitled "Recess Restriction"
12. Detention after school hours as provided in the section below entitled "Detention After School"
13. Community service as provided in the section below entitled "Community Service"
14. In accordance with Board policy and administrative regulation, restriction or disqualification from participation in extracurricular activities

*(cf. 6145 - Extracurricular/Cocurricular Activities)*

15. Reassignment to an alternative educational environment

*(cf. 6158 - Independent Study)*

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

*(cf. 6184 - Continuation Education)*

*(cf. 6185 - Community Day School)*

16. Suspension and expulsion in accordance with law, Board policy, and administrative regulation

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

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

When, by law or district policy, other means of correction are required to be implemented before a student could be suspended or expelled, any other means of correction implemented shall be documented and retained in the student's records. (Education Code 48900.5)

*(cf. 5125 - Student Records)*

**Detention After School**

Students may be detained for disciplinary reasons up to one hour after the close of the maximum school day. (5 CCR 353)

**DISCIPLINE (continued)****AR 5144(d)**

If a student will miss his/her school bus on account of being detained after school, or if the student is not transported by school bus, the principal or designee shall notify parents/guardians of the detention at least one day in advance so that alternative transportation arrangements may be made. The student shall not be detained unless the principal or designee notifies the parent/guardian.

In cases where the school bus departs more than one hour after the end of the school day, students may be detained until the bus departs. (5 CCR 307, 353)

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

**Community Service**

As part of or instead of disciplinary action, the Board, Superintendent, principal, or principal's designee may, at his/her discretion, require a student to perform community service during non school hours on school grounds or, with written permission of the student's parent/guardian, off school grounds. Such service may include, but is not limited to, community or school outdoor beautification, campus betterment, and teacher, peer, or youth assistance programs. (Education Code 48900.6)

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

**Notice to Parents/Guardians and Students**

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

*(cf. 5145.6 - Parental Notifications)*

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

**Students****BP 5144(a)****DISCIPLINE**

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

*(cf. 5113.1 - Chronic Absence and Truancy)*

*(cf. 5131 - Conduct)*

*(cf. 5131.1 - Bus Conduct)*

*(cf. 5131.2 - Bullying)*

*(cf. 5137 - Positive School Climate)*

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

*(cf. 6020 - Parent Involvement)*

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

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

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

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

Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required or permitted by law or when other means of correction have been documented to have failed. (Education Code 48900.5)

*(cf. 5020 - Parent Rights and Responsibilities)*

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

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

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

*(cf. 6164.5 - Student Success Teams)*

**DISCIPLINE (continued)****BP 5144(b)**

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

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

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

*(cf. 3553 - Free and Reduced Price Meals)*

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

*(cf. 5131.41 - Use of Seclusion and Restraint)*

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

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

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

*(cf. 0415 - Equity)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

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

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

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



**DISCIPLINE (continued)****BP 5144(c)**

*(cf. 0460 - Local Control and Accountability Plan)*

*(cf. 3100 - Budget)*

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

*Legal Reference:*

**EDUCATION CODE**

*32280- 32289 School safety plans*

*35146 Closed sessions*

*35291 Rules*

*35291.5-35291.7 School-adopted discipline rules*

*37223 Weekend classes*

*44807.5 Restriction from recess*

*48900-48926 Suspension and expulsion*

*48980-48985 Notification of parent/guardian*

*49005-49006.4 Seclusion and restraint*

*49330-49335 Injurious objects*

*49550- 49564.5 Meals for needy students*

*52060-52077 Local control and accountability plan*

**CIVIL CODE**

*1714.1 Parental liability for child's misconduct*

**CODE OF REGULATIONS, TITLE 5**

*307 Participation in school activities until departure of bus*

*353 Detention after school*

**UNITED STATES CODE, TITLE 20**

*1400-1482 Individuals with Disabilities Education Act*

**UNITED STATES CODE, TITLE 29**

*794 Section 504 of the Rehabilitation Act of 1973*

**UNITED STATES CODE, TITLE 42**

*1751-1769j School Lunch Program*

*1773 School Breakfast Program*

*Management Resources: (see next page)*

**DISCIPLINE (continued)****BP 5144(d)***Management Resources:***CSBA PUBLICATIONS***Recent Legislation on Discipline: AB 240, Fact Sheet, March 2015**The Case for Reducing Out-of-School Suspensions and Expulsions, Fact Sheet, April 2014**Providing a Safe, Nondiscriminatory School Environment for Transgender and**Gender-Nonconforming Students, Policy Brief, February 2014**Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011**Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009***CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES***Classroom Management: A California Resource Guide for Teachers and Administrators of**Elementary and Secondary Schools, 2000***U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS***Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014***WEB SITES**CSBA: <http://www.csba.org>California Department of Education: <http://www.cde.ca.gov>Public Counsel: <http://www.fixschooldiscipline.org>U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>*Policy**adopted: September 8, 2015**revised: March 12, 2019***PANAMA-BUENA VISTA UNION SCHOOL DISTRICT***Bakersfield, California*

## APPENDIX E:

# Dress and Grooming

### Students

**AR 5132(a)**

### DRESS AND GROOMING

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

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

The following guidelines shall apply to all regular school activities, the conditions of dress and appearance are:

1. Excessively large trousers, pants, and overalls may not be worn. All trousers and pants must be worn at the waist. Belt ends may not hang down. Overalls must be worn with straps on the shoulders, not hanging loose.
2. Commercial lettering or printing will be allowed on shirts and sweatshirts as long as it is appropriate for school. No clothing may be personalized other than with a given name. Any personalized printing or writing on clothing, backpacks, binders, etc. is not acceptable, nor is writing on the hands or other parts of the body.
3. Pants, shorts, or skirts with holes or heavy fraying above the knee are not acceptable.
4. Clothing that is excessively revealing is unacceptable. This includes:
  - a. Backless halter tops or dresses; tube tops; tops cut low at armpits or neckline.
  - b. Clothing that shows bare midriffs.
  - c. Shorts and skirts the length of which are shorter than mid-thigh.
  - d. Clothing that is transparent or revealing.
5. Suggestive clothing or objects may not be worn which are libelous, obscene, or depict illegal or gang-related activity. This includes buttons, arm bands, shirts, insignias, etc. Clothing with crude or vulgar printing or pictures depicting tobacco, drugs, alcoholic beverages or clothing that is sexually suggestive or disruptive is not acceptable.

**DRESS AND GROOMING (continued)****AR 5132(b)**

6. Shoes must be worn at all times.
  - a. At elementary school sites, students may be restricted to wear footwear that has a strap or are completely enclosed. During Physical Education (P.E.), Intramurals, or any other designated physical activity, athletic shoes or completely enclosed shoes should be worn unless other arrangements have been made.
  - b. At junior high school sites, students may wear shoes or sandals without heel straps that do not present a safety concern. During P.E., Intramurals, or any other designated physical activity, athletic shoes or completely enclosed shoes should be worn unless other arrangements have been made.
  - c. Modifications will be at the discretion of the site principal or designee.
7. Cosmetics to the face and hair that distract from the educational process are unacceptable.
8. Hats, caps, and other head coverings shall not be worn indoors.

The Board and administration reserve the right to declare any mode of dress, in their estimation, inhibits the educational process or threatens the safety and protection of all students as unacceptable. If students are dressed in an unacceptable manner, parents will be notified and corrective measures must be taken before the student will be allowed to return to class.

Coaches and teachers may impose more stringent dress requirements to accommodate the special needs of certain sports and/or classes.

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

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

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

**DRESS AND GROOMING (continued)****AR 5132(c)**

*(cf. 3260 - Fees and Charges)*

*(cf. 6142.7 - Physical Education and Activity)*

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

*(cf. 6145.2 - Athletic Competition)*

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

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

*(cf. 5141.7 - Sun Safety)*

**Gang-Related Apparel**

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

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

**Uniforms**

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

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

*(cf. 5145.6 - Parental Notifications)*

## **APPENDIX F:**

# **Suspension and Expulsion/Due Process**

### **Students**

**AR 5144.1(a)**

### **SUSPENSION AND EXPULSION/DUE PROCESS**

#### **Definitions**

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

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

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

#### **Notice of Regulations**

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

*(cf. 5144 - Discipline)*

*(cf. 5145.6 - Parental Notifications)*

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

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

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

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****AR 5144.1(b)**

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code 48900(a) and (t))
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b))

*(cf. 5131 - Conduct)**(cf. 5131.7 - Weapons and Dangerous Instruments)*

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

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

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant (Education Code 48900(d))
5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
7. Stole or attempted to steal school property or private property (Education Code 48900(g))
8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))

*(cf. 5131.62 - Tobacco)*

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)**

AR 5144.1(c)

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))
11. Knowingly received stolen school property or private property (Education Code 48900(l))
12. Possessed an imitation firearm (Education Code 48900(m))

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

13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))
14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code 48900(o))
15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))
16. Engaged in, or attempted to engage in, hazing (Education Code 48900(q))

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

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

*Bullying* means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to himself/herself or his/her property; cause the student to experience a



**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****AR 5144.1(d)**

substantially detrimental effect on his/her physical or mental health; or cause the student to experience substantial interferences with his/her academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. (Education Code 48900(r))

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

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

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

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 6163.4 - Student Use of Technology)

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

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

18. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31 (Education Code 48900(t))
19. Made terrorist threats against school officials and/or school property (Education Code 48900.7)

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

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****AR 5144.1(e)****Additional Grounds for Suspension and Expulsion: Grades 4-12**

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

*(cf. 5131.4 - Student Disturbances)*

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

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

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

*(cf. 5145.7 - Sexual Harassment)*

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

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

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

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

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****AR 5144.1(f)***(cf. 5145.3 - Nondiscrimination/Harassment)***Suspension from Class by a Teacher**

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

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

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

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

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

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

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

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

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****AR 5144.1(g)**

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

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

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

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

*(cf. 5125 - Student Records)*

**Length of Suspension**

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

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

*(cf. 6184 - Continuation Education)*

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

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****AR 5144.1(h)****Due Process Procedures for Suspension**

Suspensions shall be imposed in accordance with the following procedures:

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

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

2. **Administrative Actions:** All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)
3. **Notice to Parents/Guardians:** At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall also be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8) In addition, the notice may state the date and time when the student may return to school.

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

If school officials request to meet with the parent/guardian, the notice may state that the law requires the parent/guardian to respond to such requests without delay. However, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference.

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****AR 5144.1(i)**

The student may not be denied reinstatement solely because the parent/guardian failed to attend the conference. (Education Code 48911)

5. Extension of Suspension: If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision, provided the following requirements are followed: (Education Code 48911)
  - a. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.
  - b. The Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)
  - c. If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)  
(*cf. 6173.1 - Education for Foster Youth*)
  - d. If the student involved is a homeless child or youth, the Superintendent or designee shall notify the district liaison for homeless students. (Education Code 48918.1)  
(*cf. 6173 - Education for Homeless Children*)

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

**Suspension by the Board**

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

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****AR 5144.1(j)**

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

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

*(cf. 9321 - Closed Session Purposes and Agendas)*

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

**On-Campus Suspension**

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

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

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

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****AR 5144.1(k)****Superintendent or Principal's Authority to Recommend Expulsion**

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

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

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

**Student's Right to Expulsion Hearing**

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

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

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



**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****AR 5144.1(I)**

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

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

**Stipulated Expulsion**

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

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

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

**Rights of Complaining Witness**

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

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

1. Receive five days' notice of his/her scheduled testimony at the hearing

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****AR 5144.1(m)**

2. Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

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

**Written Notice of the Expulsion Hearing**

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

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

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

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

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

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****AR 5144.1(n)**

*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

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

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

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

**Conduct of Expulsion Hearing**

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

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

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

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****AR 5144.1(o)**

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))
3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

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

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

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

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

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

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****AR 5144.1(p)**

5. Testimony by Complaining Witnesses: The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)
- a. Any complaining witness shall be given five days' notice before being called to testify.
  - b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
  - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
  - d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
  - e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
  - f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
  - g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a non threatening 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 he/she may leave the hearing room.
    - iii. The person conducting the hearing may:
      1. Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
      2. Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours
      3. Permit one of the support persons to accompany the complaining witness to the witness stand

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****AR 5144.1(q)**

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

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

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

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

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

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

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

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****AR 5144.1(r)****Final Action by the Board**

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

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

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

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

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

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

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

**Written Notice to Expel**

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

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****AR 5144.1(s)**

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

**Decision to Suspend Expulsion Order**

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

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

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

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)



**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****AR 5144.1(t)**

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

**Appeal**

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

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

**Notification to Law Enforcement Authorities**

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

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****AR 5144.1(u)**

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

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

**Placement During Expulsion**

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

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

*(cf. 6158 - Independent Study)*

*(cf. 6185 - Community Day School)*

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

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

**Readmission After Expulsion**

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

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****AR 5144.1(v)**

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

No student shall be denied readmission into the district based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile 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)

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****AR 5144.1(w)**

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

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

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

Regulation  
approved: September 8, 2015  
revised: May 28, 2019

**PANAMA-BUENA VISTA UNION SCHOOL DISTRICT**  
Bakersfield, California

Students

BP 5144.1(a)

**SUSPENSION AND EXPULSION/DUE PROCESS**

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

*(cf. 5131 - Conduct)*

*(cf. 5131.1 - Bus Conduct)*

*(cf. 5131.2 - Bullying)*

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

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

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

*(cf. 5112.5 - Open/Closed Campus)*

4. During, going to, or coming from a school-sponsored activity District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

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

**Appropriate Use of Suspension Authority**

Except when a student's act violates Education Code 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative regulation,

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****BP 5144.1(b)**

or when his/her presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

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

*(cf. 5144 - Discipline)*

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

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

*(cf. 6164.5 - Student Success Teams)*

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

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

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

*(cf. 5113 - Absences and Excuses)*

*(cf. 5113.1 - Chronic Absence and Truancy)*

**On-Campus Suspension**

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

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

**Authority to Expel**

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

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

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****BP 5144.1(c)**

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

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

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

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

A vote to expel a student shall be taken in an open session of a Board meeting.

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

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

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

(cf. 5148.3 - Preschool/Early Childhood Education)

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****BP 5144.1(d)****Due Process**

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

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

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

**Maintenance and Monitoring of Outcome Data**

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

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

*(cf. 0460 - Local Control and Accountability Plan)*

*Legal Reference: (see next page)*



**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****BP 5144.1(e)***Legal Reference:***EDUCATION CODE***212.5 Sexual harassment**233 Hate violence**1981-1981.5 Enrollment of students in community school**8239.1 Prohibition against expulsion of preschool student**17292.5 Program for expelled students**32261 Interagency School Safety Demonstration Act of 1985**35145 Open board meetings**35146 Closed sessions (regarding suspensions)**35291 Rules (for government and discipline of schools)**35291.5 Rules and procedures on school discipline**48645.5 Readmission; contact with juvenile justice system**48660-48666 Community day schools**48853.5 Foster youth**48900-48927 Suspension and expulsion**48950 Speech and other communication**48980 Parental notifications**49073-49079 Privacy of student records**52052 Numerically significant student subgroups**52060-52077 Local control and accountability plan**64000-64001 Consolidated application***CIVIL CODE***47 Privileged communication**48.8 Defamation liability***CODE OF CIVIL PROCEDURE***1985-1997 Subpoenas; means of production***GOVERNMENT CODE***11455.20 Contempt**54950-54963 Ralph M. Brown Act***HEALTH AND SAFETY CODE***11014.5 Drug paraphernalia**11053-11058 Standards and schedules***LABOR CODE***230.7 Employee time off to appear in school on behalf of a child**Legal Reference: (continued see next page)*

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****BP 5144.1(f)***Legal Reference: (continued)***PENAL CODE***31 Principal of a crime, defined**240 Assault defined**241.2 Assault fines**242 Battery defined**243.2 Battery on school property**243.4 Sexual battery**245 Assault with deadly weapon**245.6 Hazing**261 Rape defined**266c Unlawful sexual intercourse**286 Sodomy defined**288 Lewd or lascivious acts with child under age 14**288a Oral copulation**289 Penetration of genital or anal openings**417.27 Laser pointers**422.55 Hate crime defined**422.6 Interference with exercise of civil rights**422.7 Aggravating factors for punishment**422.75 Enhanced penalties for hate crimes**626.2 Entry upon campus after written notice of suspension or dismissal without permission**626.9 Gun-Free School Zone Act of 1995**626.10 Dirks, daggers, knives, razors, or stun guns**868.5 Supporting person; attendance during testimony of witness***WELFARE AND INSTITUTIONS CODE***729.6 Counseling***UNITED STATES CODE, TITLE 18***921 Definitions, firearm***UNITED STATES CODE, TITLE 20***1415(K) Placement in alternative educational setting**7961 Gun-free schools***UNITED STATES CODE, TITLE 42***11432-11435 Education of homeless children and youths**Legal Reference: (continued see next page)*

**SUSPENSION AND EXPULSION/DUE PROCESS (continued)****BP 5144.1(g)***Legal Reference: (continued)***COURT DECISIONS***T.H. v. San Diego Unified School District* (2004) 122 Cal. App. 4th 1267*Woodbury v. Dempsey* (2003) 108 Cal. App. 4th 421*Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H.* (2001) 85 Cal.App.4th 1321*Fremont Union High School District v. Santa Clara County Board* (1991) 235 Cal. App. 3d 118*Garcia v. Los Angeles Board of Education* (1991) 123 Cal. App. 3d 807*John A. v. San Bernardino School District* (1982) 33 Cal. 3d 301**ATTORNEY GENERAL OPINIONS**84 Ops.Cal.Atty.Gen. 146 (2001)80 Ops.Cal.Atty.Gen. 348 (1997)80 Ops.Cal.Atty.Gen. 91 (1997)80 Ops.Cal.Atty.Gen. 85 (1997)*Management Resources:***U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS***Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline*, January 2014**WEB SITES**CSBA: <http://www.csba.org>California Attorney General's Office: <http://www.oag.ca.gov>California Department of Education: <http://www.cde.ca.gov>

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

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

U.S. Department of Education, Office of Safe and Healthy Students:

<https://www2.ed.gov/about/offices/list/oese/oshs>

Policy

adopted: September 8, 2015

revised: May 28, 2019

**PANAMA-BUENA VISTA UNION SCHOOL DISTRICT**

Bakersfield, California

## **APPENDIX G:**

### **Teacher Notice of Pupil Disciplinary History**

All Personnel

AR 4158(a)

AR 4258

AR 4358

#### **Employee Security**

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

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

*(cf. 5144 - Discipline)*

An employee shall promptly report to the principal or other immediate supervisor any attack, assault, or physical threat made against him/her by a student or by any other individual in relation to the employee's performance of his/her duties, and any action the employee took in response. When appropriate, the employee and the principal or other immediate supervisor shall report the incident to law enforcement.

*(cf. 3515.2 - Disruptions)*

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

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

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

*(cf. 3530 - Risk Management/Insurance)*

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

The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in, any act, except the possession or use of tobacco products, that would constitute a grounds for suspension or expulsion as specified in AR 5144.1 - Suspension and Expulsion/Due Process. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

*(cf. 5125 - Student Records)*

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

**EMPLOYEE SECURITY (CONTINUED)****AR 4158 (b)****4258****4358**

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

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

Regulation

approved: September 8, 2015

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**PANAMA-BUENA VISTA UNION SCHOOL DISTRICT**

Bakersfield, California

**EMPLOYEE SECURITY (CONTINUED)****BP 4158 (a)****4258****4358**

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

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 3515 - Campus Security)*

*(cf. 5131.4 - Student Disturbances)*

Any employee against whom violence or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace.

The Superintendent or designee may pursue legal action on behalf of an employee against a student or his/her parent/guardian to recover damages to the employee or his/her property caused by the student's willful misconduct that occurred on district property, at a school or district activity, or in retaliation for lawful acts of the employee in the performance of his/her duties. (Education Code 48904, 48905)

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

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

*(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)*

*(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)*

The Superintendent or designee shall ensure that employees receive training in crisis prevention and intervention techniques in order to protect themselves and students. Staff development may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

The Superintendent or designee also shall inform teachers, in accordance with law, of crimes and offenses committed by students who may pose a danger in the classroom. (Education Code 48201, 49079; Welfare and Institutions Code 827)

**EMPLOYEE SECURITY (CONTINUED)****BP 4158 (b)****4258****4358**

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

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

**Use of Pepper Spray**

Employees shall not carry or possess pepper spray on school property or at school activities, except when authorized by the Superintendent or designee for self-defense purposes. When allowed, an employee may only possess pepper spray in accordance with administrative regulations and Penal Code 22810. Any employee who is negligent or careless in the possession or handling of pepper spray shall be subject to appropriate disciplinary measures.

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

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

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

**Legal Reference:****EDUCATION CODE**

*32210-32212 Willful disturbance, public schools or meetings*

*32225-32226 Communication devices*

*35208 Liability insurance*

*35213 Reimbursement for loss, destruction or damage of school property*

*44014 Report of assault by pupil against school employee*

*44807 Duty concerning conduct of students*

*48201 Transfer of student records*

*48900-48926 Suspension or expulsion*

*49079 Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion*

*49330-49335 Injurious objects*

*Legal Reference Continued: (see next page)*

**EMPLOYEE SECURITY (CONTINUED)****BP 4158 (c)****4258****4358***Legal Reference Continued*CIVIL CODE*51.7 Freedom from violence or intimidation*CODE OF CIVIL PROCEDURE*527.8 Workplace violence safety*GOVERNMENT CODE*995-996.4 Defense of public employees**3543.2 Scope of representation*PENAL CODE*71 Threatening public officers and employees and school officials**240-246.3 Assault and battery, especially:**241.3 Assault against school bus drivers**241.6 Assault on school employee including board member**243.3 Battery against school bus drivers**243.6 Battery against school employee including board member**245.5 Assault with deadly weapon against school employee including board member**290 Registration of sex offenders**601 Trespass by person making credible threat**626-626.11 School crimes**646.9 Stalking**22810 Purchase, possession, and use of tear gas*WELFARE AND INSTITUTIONS CODE*827 Juvenile court proceedings; reports; confidentiality**828.1 District police or security department, disclosure of juvenile records*COURT DECISIONS*City of San Jose v. William Garbett, (2010) 190 Cal. App. 4th 526**Management Resources:*WEB SITES*CSBA: <http://www.csba.org>**California Department of Education, Safe Schools and Violence Prevention Office:**<http://www.cde.ca.gov/lss>*

Policy

adopted: September 8, 2015

revised: February 12, 2019

PANAMA-BUENA VISTA UNION SCHOOL DISTRICT

Bakersfield, California



## APPENDIX H:

# Child Abuse and Neglect

Students

AR 5141.4(a)

### CHILD ABUSE PREVENTION AND REPORTING

#### Definitions

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

1. A physical injury or death inflicted by other than accidental means on a child by another person
2. Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code 11165.1
3. Neglect 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

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

*(cf. 5145.7 - Sexual Harassment)*

*Child abuse or neglect* does not include:

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

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

3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)

**CHILD ABUSE PREVENTION AND REPORTING (CONTINUED)****AR 5141.4(b)**

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, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of a student (Education Code 49001)

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

*(cf. 5144 - Discipline)*

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

5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by a student (Education Code 49001)

*(cf. 6142.7 - Physical Education and Activity)*

*(cf. 6145.2 - Athletic Competition)*

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; administrators and employees of a licensed child day care facility; Head Start 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 his/her 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, in his/her professional capacity or within the scope of his/her employment, he/she has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. (Penal Code 11166)

Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on

**CHILD ABUSE PREVENTION AND REPORTING (CONTINUED)****AR 5141.4(c)**

evidence of severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the appropriate agency. (Penal Code 11166.05, 11167)

Any district employee who reasonably believes that he/she has observed the commission of a murder, rape, or lewd or lascivious act by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury 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 he/she knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to the appropriate agency. (Penal Code 11166)

*(cf. 1240 - Volunteer Assistance)*

**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)

**CHILD ABUSE PREVENTION AND REPORTING (CONTINUED)****AR 5141.4(d)**

Kern County Welfare Dept./Child Protective Services  
P.O. Box 511  
Bakersfield, CA 93302  
(661) 631-6011 Fax (661) 631-6568  
(24 Hour hotline)(Weekdays 8-5)

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 then prepare and either send, fax, or electronically submit to the appropriate agency a written follow-up report, which includes a completed Department of Justice form (SS 8572). (Penal Code 11166, 11168)

The Department of Justice form may be obtained at any school site or online at the Kern County Welfare Department/Child Protective Services.

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

- a. The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter
- b. The child's name and address, present location, and, where applicable, school, grade, and class
- c. The names, addresses, and telephone numbers of the child's parents/guardians
- d. The name, address, telephone number, and other relevant personal information about the person who might have abused or neglected the child
- e. 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 him/her. (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)

**CHILD ABUSE PREVENTION AND REPORTING (CONTINUED)****AR 5141.4(e)****3. Internal Reporting**

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

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

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

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

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

Training is provided to each employee through the District's online learning management system, Trakstar.

**Victim Interviews by Social Services**

Whenever the Department of Social Services 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)

**CHILD ABUSE PREVENTION AND REPORTING (CONTINUED)****AR 5141.4(f)**

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

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

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

**Release of Child to Peace Officer**

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the Superintendent or designee and/or principal shall not notify the parent/guardian, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. (Education Code 48906)

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

**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 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 also is obligated pursuant to Penal Code 11166 to file a report himself/herself using the procedures described above for mandated reporters.

**CHILD ABUSE PREVENTION AND REPORTING (CONTINUED)****AR 5141.4(g)**

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

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

*(cf. 1312.3 - Uniform Complaint Procedures)*

**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)

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

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

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 his/her professional capacity or outside the scope of his/her employment. Any other person making a report shall not incur civil or criminal liability unless it can be proven that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)
2. If a mandated reporter fails to timely report an incident of known or reasonably suspected child abuse or neglect, he/she may be guilty of a crime punishable by a fine and/or imprisonment. (Penal Code 11166)

**CHILD ABUSE PREVENTION AND REPORTING (CONTINUED)****AR 5141.4(h)**

3. No employee shall be subject to any sanction by the district for making a report unless it can be shown that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11166)



**CHILD ABUSE PREVENTION AND REPORTING (CONTINUED)****BP 5141.4(a)**

The Board of Trustees is committed to supporting the safety and well-being of district students and desires to facilitate the prevention of and response to child abuse and neglect. The Superintendent or designee shall develop and implement strategies for preventing, recognizing, and promptly reporting known or suspected child abuse and neglect.

The Superintendent or designee may provide a student who is a victim of abuse with school- based mental health services or other support services and/or may refer the student to resources available within the community as needed.

*(cf. 1020 - Youth Services)*

*(cf. 5141.6 - School Health Services)*

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

**Child Abuse Prevention**

The district's instructional program shall include age-appropriate and culturally sensitive child abuse prevention curriculum. This curriculum shall explain students' right to live free of abuse, include instruction in the skills and techniques needed to identify unsafe situations and react appropriately and promptly, inform students of available support resources, and teach students how to obtain help and disclose incidents of abuse.

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6143 - Courses of Study)*

**Child Abuse Reporting**

The Superintendent or designee shall establish procedures for the identification and reporting of known and suspected child abuse and neglect in accordance with law.

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

*(cf. 5145.7 - Sexual Harassment)*

Procedures for reporting child abuse shall be included in the district and/or school comprehensive safety plan. (Education Code 32282)

*(cf. 0450 - Comprehensive Safety Plan)*

District employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect.

**CHILD ABUSE PREVENTION AND REPORTING (CONTINUED)****BP 5141.4(b)**

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

*Legal Reference:***EDUCATION CODE***32280-32288 Comprehensive school safety plans**33195 Heritage schools, mandated reporters**33308.1 Guidelines on procedure for filing child abuse complaints**44252 Teacher credentialing**44691 Staff development in the detection of child abuse and neglect**44807 Duty concerning conduct of students**48906 Notification when student released to peace officer**48987 Dissemination of reporting guidelines to parents**49001 Prohibition of corporal punishment**51220.5 Parenting skills education**51900.6 Sexual abuse and sexual assault awareness and prevention***PENAL CODE***152.3 Duty to report murder, rape, or lewd or lascivious act**273a Willful cruelty or unjustifiable punishment of child; endangering life or health**288 Definition of lewd or lascivious act requiring reporting**11164-11174.3 Child Abuse and Neglect Reporting Act***WELFARE AND INSTITUTIONS CODE***15630-15637 Dependent adult abuse reporting***CODE OF REGULATIONS, TITLE 5***4650 Filing complaints with CDE, special education students***UNITED STATES CODE, TITLE 42***11434a McKinney-Vento Homeless Assistance Act; definitions***COURT DECISIONS***Camreta v. Greene (2011) 131 S.Ct. 2020*

*Management Resources: (see next page)*

**CHILD ABUSE PREVENTION AND REPORTING (CONTINUED)****BP 5141.4(c)***Management Resources:**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve**Health Framework for California Public Schools, Kindergarten Through Grade Twelve**WEB SITES**California Attorney General's Office, Suspected Child Abuse Report Form:**[http://www.ag.ca.gov/childabuse/pdf/ss\\_8572.pdf](http://www.ag.ca.gov/childabuse/pdf/ss_8572.pdf)**California Department of Education, Safe Schools: <http://www.cde.ca.gov/ls/ss/ap>**California Department of Social Services, Children and Family Services Division:**<http://www.childsworld.ca.gov>**U.S. Department of Health and Human Services, Child Welfare Information Gateway:**<https://www.childwelfare.gov/can>*

## **APPENDIX I: School Safety Plan**

### **COMPREHENSIVE SAFETY PLAN**

**AR 0450(a)**

#### **Development and Review of Comprehensive School Safety Plan**

The school site council shall consult with local law enforcement, the local fire department, and other first responders in the writing and development of the comprehensive school safety plan. When practical, the school site council shall also consult with other school site councils and safety committees. (Education Code 32281, 32282)

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

The school site council may delegate the responsibility for developing a comprehensive safety plan to a school safety planning committee composed of the following members: (Education Code 32281)

1. The principal or designee
2. One teacher who is a representative of the recognized certificated employee organization
3. One parent/guardian whose child attends the school
4. One classified employee who is a representative of the recognized classified employee organization
5. Other members, if desired

*(cf. 1220 - Citizen Advisory Committees)*

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

Before adopting the comprehensive safety plan, the school site council or school safety planning committee shall hold a public meeting at the school in order to allow members of the public the opportunity to express an opinion about the plan. (Education Code 32288)

The school site council or safety planning committee shall notify, in writing, the following persons and entities of the public meeting: (Education Code 32288)

1. The local mayor
2. A representative of the local school employee organization

**COMPREHENSIVE SAFETY PLAN (continued)****AR 0450(b)**

3. A representative of each parent organization at the school, including the parent teacher association and parent teacher clubs

*(cf. 1230 - School-Connected Organizations)*

4. A representative of each teacher organization at the school

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

5. A representative of the school's student body government
6. All persons who have indicated that they want to be notified

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

1. Representatives of local religious organizations
2. Local civic leaders
3. Local business organizations

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

**Content of the Safety Plan**

Each comprehensive safety plan shall include an assessment of the current status of any crime committed on campus and at school-related functions. (Education Code 32282)

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

*(cf. 0500 - Accountability)*

*(cf. 0510 - School Accountability Report Card)*

The plan shall identify appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including all of the following: (Education Code 32282)

1. Child abuse reporting procedures consistent with Penal Code 11164-11174.3

**COMPREHENSIVE SAFETY PLAN (continued)****AR 0450(c)**

*(cf. 5141.4 - Child Abuse Prevention and Reporting)*

2. Routine and emergency disaster procedures including, but not limited to:
  - a. Adaptations for students with disabilities in accordance with the Americans with Disabilities Act

*(cf. 6159 - Individualized Education Program)*

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

*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*

*(cf. 3516.3 - Earthquake Emergency Procedure System)*

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

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

*(cf. 3516.1 - Fire Drills and Fires)*

*(cf. 3516.2 - Bomb Threats)*

*(cf. 3516.5 - Emergency Schedules)*

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

3. Policies pursuant to Education Code 48915(d) for students who commit an act listed in Education Code 48915(c) and other school-designated serious acts that would lead to suspension, expulsion, or mandatory expulsion recommendations

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

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

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

4. Procedures to notify teachers of dangerous students pursuant to Education Code 49079

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

5. A policy consistent with the prohibition against discrimination, harassment, intimidation, and bullying pursuant to Education Code 200-262.4

**COMPREHENSIVE SAFETY PLAN (continued)****AR 0450(d)**

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

*(cf. 1312.3 - Uniform Complaint Procedures)*

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

*(cf. 5131.2 - Bullying)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

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

6. If the school has adopted a dress code prohibiting students from wearing "gang-related apparel" pursuant to Education Code 35183, the provisions of that dress code and the definition of "gang-related apparel"

*(cf. 5132 - Dress and Grooming)*

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

*(cf. 5142 - Safety)*

8. A safe and orderly school environment conducive to learning

*(cf. 5137 - Positive School Climate)*

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

*(cf. 5144 - Discipline)*

10. Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on campus and at school-related functions

Among the strategies for providing a safe environment, the comprehensive safety plan may also include:

1. Development of a positive school climate that promotes respect for diversity, personal and social responsibility, effective interpersonal and communication skills, self-esteem, anger management, and conflict resolution

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

*(cf. 6141.2 - Recognition of Religious Beliefs and Customs)*

**COMPREHENSIVE SAFETY PLAN (continued)****AR 0450(e)**

2. Disciplinary policies and procedures that contain prevention strategies, such as strategies to prevent bullying, hazing, and cyberbullying, as well as behavioral expectations and consequences for violations

*(cf. 5113 - Absences and Excuses)*

*(cf. 5113.1 - Chronic Absence and Truancy)*

*(cf. 5131 - Conduct)*

3. Curriculum that emphasizes prevention and alternatives to violence, such as multicultural education, character/values education, social and emotional learning, media analysis skills, conflict resolution, community service learning, and education related to the prevention of dating violence

*(cf. 6142.3 - Civic Education)*

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

*(cf. 6142.8 - Comprehensive Health Education)*

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

*(cf. 1240 - Volunteer Assistance)*

*(cf. 5020 - Parent Rights and Responsibilities)*

*(cf. 6020 - Parent Involvement)*

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

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

*(cf. 5131.61 - Drug Testing)*

*(cf. 5131.62 - Tobacco)*

*(cf. 5131.63 - Steroids)*

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

7. District policy related to possession of firearms and ammunition on school grounds

*(cf. 3515.7 - Firearms on School Grounds)*



**COMPREHENSIVE SAFETY PLAN (continued)****AR 0450(f)**

8. Measures to prevent or minimize the influence of gangs on campus

*(cf. 5136 - Gangs)*

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

*(cf. 5116.1 - Intradistrict Open Enrollment)*

10. Assessment of the school's physical environment, including a risk management analysis and development of ground security measures such as procedures for closing campuses to outsiders, installing surveillance systems, securing the campus perimeter, protecting buildings against vandalism, and providing for a law enforcement presence on campus

*(cf. 1250 - Visitors/Outsiders)*

*(cf. 3515 - Campus Security)*

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

*(cf. 3530 - Risk Management/Insurance)*

*(cf. 5112.5 - Open/Closed Campus)*

*(cf. 5131.5 - Vandalism and Graffiti)*

11. Guidelines for the roles and responsibilities of mental health professionals, community intervention professionals, school counselors, school resource officers, and police officers on school campuses. Guidelines may include, but are not limited to, the following:
  - a. Strategies to create and maintain a positive school climate, promote school safety, and increase student achievement
  - b. Strategies to prioritize mental health and intervention services, restorative and transformative justice programs, and positive behavior interventions and support
  - c. Protocols to address the mental health care of students who have witnessed a violent act at any time, including, but not limited to, while on school grounds, while coming or going from school, during a lunch period whether on or off campus, or during or while going to or coming from a school-sponsored activity
12. Strategies for suicide prevention and intervention

*(cf. 5141.52 - Suicide Prevention)*

**COMPREHENSIVE SAFETY PLAN (continued)****AR 0450(g)**

13. Procedures to implement when a person interferes with or disrupts a school activity, remains on campus after having been asked to leave, or creates a disruption with the intent to threaten the immediate physical safety of students or staff

*(cf. 3515.2 - Disruptions)*

14. Crisis prevention and intervention strategies, which may include the following:
- a. Identification of possible crises that may occur, determination of necessary tasks that need to be addressed, and development of procedures relative to each crisis, including the involvement of law enforcement and other public safety agencies as appropriate

*(cf. 3515.5 - Sex Offender Notification)*

*(cf. 5131.4 - Student Disturbances)*

*(cf. 5131.41 - Use of Seclusion and Restraint)*

- b. Threat assessment strategies to determine the credibility and seriousness of a threat and provide appropriate interventions for the potential offender(s)
- c. Assignment of staff members responsible for each identified task and procedure
- d. Development of an evacuation plan based on an assessment of buildings and grounds and opportunities for students and staff to practice the evacuation plan
- e. Coordination of communication to schools, Governing Board members, parents/guardians, and the media

*(cf. 1112 - Media Relations)*

*(cf. 9010 - Public Statements)*

- f. Development of a method for the reporting of violent incidents
  - g. Development of follow-up procedures that may be required after a crisis has occurred, such as counseling
15. Staff development in violence prevention and intervention techniques, including preparation to implement the elements of the safety plan

**COMPREHENSIVE SAFETY PLAN (continued)****AR 0450(g)***(cf. 4131 - Staff Development)**(cf. 4231 - Staff Development)**(cf. 4331 - Staff Development)*

16. Environmental safety strategies, including, but not limited to, procedures for preventing and mitigating exposure to toxic pesticides, lead, asbestos, vehicle emissions, and other hazardous substances and contaminants

*(cf. 3510 - Green School Operations)**(cf. 3513.3 - Tobacco-Free Schools)**(cf. 3514 - Environmental Safety)**(cf. 3514.1 - Hazardous Substances)**(cf. 3514.2 - Integrated Pest Management)*

Regulation

approved: September 8, 2015

revised: February 26, 2019

**PANAMA-BUENA VISTA UNION SCHOOL DISTRICT**

Bakersfield, California

**COMPREHENSIVE SAFETY PLAN (continued)****BP 0450(a)**

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

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*  
*(cf. 1312.3 - Uniform Complaint Procedures)*  
*(cf. 3515 - Campus Security)*  
*(cf. 3515.2 - Disruptions)*  
*(cf. 3515.3 - District Police/Security Department)*  
*(cf. 3515.7 - Firearms on School Grounds)*  
*(cf. 5131 - Conduct)*  
*(cf. 5131.2 - Bullying)*  
*(cf. 5131.4 - Student Disturbances)*  
*(cf. 5131.41 - Use of Seclusion and Restraint)*  
*(cf. 5131.7 - Weapons and Dangerous Instruments)*  
*(cf. 5136 - Gangs)*  
*(cf. 5137 - Positive School Climate)*  
*(cf. 5138 - Conflict Resolution/Peer Mediation)*  
*(cf. 5144 - Discipline)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*  
*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*  
*(cf. 5145.3 - Nondiscrimination/Harassment)*  
*(cf. 5145.7 - Sexual Harassment)*  
*(cf. 5145.9 - Hate-Motivated Behavior)*

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

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

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

The comprehensive safety plan(s) shall be reviewed and updated by March 1 of each year and forwarded to the Board for approval. (Education Code 32286, 32288)

**COMPREHENSIVE SAFETY PLAN (continued)****BP 0450(b)**

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

*(cf. 0500 - Accountability)*

*(cf. 9320 - Meetings and Notices)*

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

#### Access to Safety Plan(s)

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

*(cf. 1340 - Access to District Records)*

However, those portions of the comprehensive safety plan that include tactical responses to criminal incidents shall not be publicly disclosed.

The Superintendent or designee shall share the comprehensive safety plans and any updates to the plans with local law enforcement, the local fire department, and other first responder entities. (Education Code 32281)

#### *Legal Reference:*

##### EDUCATION CODE

200-262.4 Prohibition of discrimination

32260-32262 Interagency School Safety Demonstration Act of 1985

32270 School safety cadre

32280-32289 School safety plans

32290 Safety devices

35147 School site councils and advisory committees

35183 School dress code; uniforms

35291 Rules

35291.5 School-adopted discipline rules

41020 Annual audits

*Legal References continued: (see next page)*

**COMPREHENSIVE SAFETY PLAN (continued)****BP 0450(c)***Legal Reference continued:**48900-48927 Suspension and expulsion**48950 Speech and other communication**49079 Notification to teacher; student act constituting grounds for suspension or expulsion**67381 Violent crime***GOVERNMENT CODE***54957 Closed session meetings for threats to security***PENAL CODE***422.55 Definition of hate crime**626.8 Disruptions**11164-11174.3 Child Abuse and Neglect Reporting Act***CALIFORNIA CONSTITUTION***Article 1, Section 28(c) Right to Safe Schools***CODE OF REGULATIONS, TITLE 5***11987-11987.7 School Community Violence Prevention Program requirements**11992-11993 Definition, persistently dangerous schools***UNITED STATES CODE, TITLE 20***7111-7122 Student Support and Academic Enrichment Grants**7912 Transfers from persistently dangerous schools***UNITED STATES CODE, TITLE 42***12101-12213 Americans with Disabilities Act**Management Resources:***CSBA PUBLICATIONS***Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination*, July 2016*Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students*, Policy Brief, February 2014*Safe Schools: Strategies for Governing Boards to Ensure Student Success*, rev. 2011*Community Schools: Partnerships Supporting Students, Families and Communities*, Policy Brief, October 2010*Cyberbullying: Policy Considerations for Boards*, Policy Brief, July 2010**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS***Safe Schools: A Planning Guide for Action*, 2002**FEDERAL BUREAU OF INVESTIGATION PUBLICATIONS***Uniform Crime Reporting Handbook*, 2004*Management Resources continued: (see next page)*

**COMPREHENSIVE SAFETY PLAN (continued)****BP 0450(d)***Management Resources: (continued)***U.S. DEPARTMENT OF EDUCATION PUBLICATIONS***Practical Information on Crisis Planning: A Guide for Schools and Communities, January 2007***U.S. SECRET SERVICE AND U.S. DEPARTMENT OF EDUCATION PUBLICATIONS***Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates, 2004***WEB SITES***CSBA: <http://www.csba.org>**California Department of Education, Safe Schools: <http://www.cde.ca.gov/ls/ss>**California Governor's Office of Emergency Services: <http://www.caloes.ca.gov>**California School Climate Survey: <http://chks.wested.org>**Centers for Disease Control and Prevention: <http://www.cdc.gov/ViolencePrevention>**Federal Bureau of Investigation: <http://www.fbi.gov>**National Center for Crisis Management: <http://www.schoolcrisisresponse.com>**National School Safety Center: <http://www.schoolsafety.us>**U.S. Department of Education: <http://www.ed.gov>**U.S. Secret Service, National Threat Assessment Center:  
<http://www.secretservice.gov/protection/ntac>*

Policy

adopted: September 8, 2015

revised: February 26, 2019

**PANAMA-BUENA VISTA UNION SCHOOL DISTRICT**  
Bakersfield, California

## **APPENDIX J:**

### **Nondiscrimination/Harassment**

#### **NONDISCRIMINATION/HARASSMENT**

**AR 5145.3(a)**

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with applicable state and federal civil rights laws, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

Assistant Superintendent, Educational Services  
4200 Ashe Road, Bakersfield, CA 93313  
(661) 831-8331, extension 6132

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

*(cf. 1312.3 - Uniform Complaint Procedures)*

#### **Measures to Prevent Discrimination**

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public by posting them on the district's website.
2. Post in a prominent and conspicuous location on the district and school websites information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code 221.61)



**NONDISCRIMINATION/HARASSMENT (continued)****AR 5145.3(b)**

- a. The name and contact information of the district's Title IX coordinator, including the phone number and email address
- b. The rights of students and the public and the responsibilities of the district under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)
- c. A description of how to file a complaint of noncompliance with Title IX in accordance with AR 1312.3 - Uniform Complaint Procedures, which shall include:
  - i. An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations
  - ii. An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's web site
  - iii. A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office

*(cf. 1113 - District and School Web Sites)*

*(cf. 1114 - District-Sponsored Social Media)*

3. Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior. (Education Code 234.1)
4. Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.

*(cf. 5145.6 - Parental Notifications)*

**NONDISCRIMINATION/HARASSMENT (continued)****AR 5145.3(c)**

5. The Superintendent or designee shall ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning non discrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

6. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines the district may use to provide a discrimination-free environment for all district students, including transgender and gender-nonconforming students.

*(cf. 1240 - Volunteer Assistance)*

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

7. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)
8. At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate assistance or resources to protect students from threatened or potentially discriminatory behavior and ensure their privacy rights.

**Enforcement of District Policy**

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti

**NONDISCRIMINATION/HARASSMENT (continued)****AR 5145.3(d)***(cf. 5131.5 - Vandalism and Graffiti)*

2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond
3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination
4. Consistent with laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment

*(cf. 4112.6/4212.6/4312.6 - Personnel Files)**(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)**(cf. 5125 - Student Records)*

5. 5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that he/she knew was not true

*(cf. 4118 - Dismissal/Suspension/Disciplinary Action)**(cf. 4218 - Dismissal/Suspension/Disciplinary Action)**(cf. 5144 - Discipline)**(cf. 5144.1 - Suspension and Expulsion/Due Process)**(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))**(cf. 6159.4 - Behavioral Interventions for Special Education Students)***Process for Initiating and Responding to Complaints**

Any student who feels that he/she has been subjected to unlawful discrimination described above or in district policy is strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, any student who observes any such incident is strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

**NONDISCRIMINATION/HARASSMENT (continued)****AR 5145.3(e)**

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When a verbal report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, he/she shall make a note of the report and encourage the student or parent/guardian to file the complaint in writing, pursuant to the provisions in AR 1312.3 - Uniform Complaint Procedures. Once notified verbally or in writing, the principal or compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

*(cf. 5141.4 - Child Abuse Prevention and Reporting)*

**Transgender and Gender-Nonconforming Students**

Gender identity of a student means the student's gender-related identity, appearance, or behavior as determined from the student's internal sense of his/her gender, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Transgender student means a student whose gender identity is different from the gender he/she was assigned at birth.

**NONDISCRIMINATION/HARASSMENT (continued)****AR 5145.3(f)**

Regardless of whether they are sexual in nature, acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment are prohibited. Examples of the types of conduct which are prohibited in the district and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with his/her gender identity
2. Disciplining or disparaging a student or excluding him/her from participating in activities for behavior or appearance that is consistent with his/her gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable
3. Blocking a student's entry to the restroom that corresponds to his/her gender identity
4. Taunting a student because he/she participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information, without the student's consent
6. Use of gender-specific slurs
7. Physical assault of a student motivated by hostility toward him/her because of his/her gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

**NONDISCRIMINATION/HARASSMENT (continued)****AR 5145.3(g)**

1. Right to privacy: A student's transgender or gender-nonconforming status is his/her private information and the district shall only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's transgender or gender-nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless he/she is required to disclose or report the student's information pursuant to this administrative regulation, and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to his/her status as a transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the student's need for support, the compliance officer may discuss with the student any need to disclose the student's transgender or gender-nonconformity status or gender identity or gender expression to his/her parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

*(cf. 1340 - Access to District Records)*

*(cf. 3580 - District Records)*

2. Determining a Student's Gender Identity: The compliance officer shall accept the student's assertion of his/her gender identity and begin to treat the student consistent with his/her gender identity unless district personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.
3. Addressing a Student's Transition Needs: The compliance officer shall arrange a meeting with the student and, if appropriate, his/her parents/guardians to identify and develop strategies for ensuring that the student's access to education programs and activities is maintained. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities,

**NONDISCRIMINATION/HARASSMENT (continued)****AR 5145.3(h)**

including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to his/her status as a transgender or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting his/her educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

4. **Accessibility to Sex-Segregated Facilities, Programs, and Activities:** When the district maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intramural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, access to a staff member's office, or use of the locker room before or after the other students. However, the district shall not require a student to utilize these options because he/she is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with his/her gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with his/her gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.

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

*(cf. 6145.2 - Athletic Competition)*

*(cf. 6153 - School-Sponsored Trips)*

*(cf. 7110 - Facilities Master Plan)*

5. **Student Records:** A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. However, at the written request of a student or, if appropriate, his/her parents/guardians, the district shall use the student's preferred name and pronouns consistent with his/her gender identity on all other district-related documents. Such preferred name may be added to the student's record and official documents as permitted by law.

*(cf. 5125 - Student Records)*

*(cf. 5125.1 - Release of Directory Information)*

**NONDISCRIMINATION/HARASSMENT (continued)****AR 5145.3(i)**

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronouns consistent with his/her gender identity, without the necessity of a court order or a change to his/her official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns will, in general, not constitute a violation of this administrative regulation or the accompanying district policy.
7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with his/her gender identity, subject to any dress code adopted on a school site.

*(cf. 5132 - Dress Code)*

Regulation

approved: September 8, 2015

revised: March 13, 2018

revised: February 12, 2019

**PANAMA-BUENA VISTA UNION SCHOOL DISTRICT**

Bakersfield, California



**NONDISCRIMINATION/HARASSMENT (continued)****BP 5145.3(a)**

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

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

*(cf. 5131 - Conduct)*

*(cf. 5131.2 - Bullying)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5145.7 - Sexual Harassment)*

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

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

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

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

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

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

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

**NONDISCRIMINATION/HARASSMENT (continued)****BP 5145.3(b)**

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

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 1330 - Use of Facilities)*

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

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

*(cf. 6145.2 - Athletic Competition)*

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

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

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

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

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

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

*(cf. 5144 - Discipline)*

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

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

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

**NONDISCRIMINATION/HARASSMENT (continued)****BP 5145.3(c)****Record-Keeping**

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

*(cf. 3580 - District Records)*

**Legal Reference:****EDUCATION CODE**

*200-262.4 Prohibition of discrimination*

*48900.3 Suspension or expulsion for act of hate violence*

*48900.4 Suspension or expulsion for threats or harassment*

*48904 Liability of parent/guardian for willful student misconduct*

*48907 Student exercise of free expression*

*48950 Freedom of speech*

*48985 Translation of notices*

*49020-49023 Athletic programs*

*51500 Prohibited instruction or activity*

*51501 Prohibited means of instruction*

*60044 Prohibited instructional materials*

**CIVIL CODE**

*1714.1 Liability of parents/guardians for willful misconduct of minor*

**GOVERNMENT CODE**

*11135 Nondiscrimination in programs or activities funded by state*

**PENAL CODE**

*422.55 Definition of hate crime*

*422.6 Crimes, harassment*

**CODE OF REGULATIONS, TITLE 5**

*432 Student record*

*4600- 4670 Uniform complaint procedures*

*4900-4965 Nondiscrimination in elementary and secondary education programs*

**UNITED STATES CODE, TITLE 20**

*1681-1688 Title IX of the Education Amendments of 1972*

*12101-12213 Title II equal opportunity for individuals with disabilities*

**UNITED STATES CODE, TITLE 29**

*794 Section 504 of Rehabilitation Act of 1973*

**UNITED STATES CODE, TITLE 42**

*Legal Reference continued on next page*

**NONDISCRIMINATION/HARASSMENT (continued)****BP 5145.3(d)***Legal Reference continued:**2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended**2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964**6101-6107 Age Discrimination Act of 1975**CODE OF FEDERAL REGULATIONS, TITLE 28**35.107 Nondiscrimination on basis of disability; complaints**CODE OF FEDERAL REGULATIONS, TITLE 34**99.31 Disclosure of personally identifiable information**100.3 Prohibition of discrimination on basis of race, color or national origin**104.7 Designation of responsible employee for Section 504**106.8 Designation of responsible employee for Title IX**106.9 Notification of nondiscrimination on basis of sex**110.25 Prohibition of discrimination based on age**COURT DECISIONS**Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567**Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130**Management Resources:**CSBA PUBLICATIONS**Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016**CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS**Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018**FIRST AMENDMENT CENTER PUBLICATIONS**Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006**U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS**Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016**Dear Colleague Letter: Title IX Coordinators, April 2015**Dear Colleague Letter: Harassment and Bullying, October 2010**Notice of Non-Discrimination, Fact Sheet, August 2010**WEB SITES**CSBA: <http://www.csba.org>**California Department of Education: <http://www.cde.ca.gov>**California Safe Schools Coalition: <http://www.casafeschools.org>**California Office of the Attorney General: <http://oag.ca.gov>**First Amendment Center: <http://www.firstamendmentcenter.org>**National School Boards Association: <http://www.nsba.org>**U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>*

## **APPENDIX K:**

# **Video Surveillance and Audio Recording**

EC51512

The Legislature finds that the use by any person, including a pupil, of any electronic listening or recording device in any classroom of the elementary and secondary schools without the prior consent of the teacher and the principal of the school given to promote an educational purpose disrupts and impairs the teaching process and discipline in the elementary and secondary schools, and such use is prohibited. Any person, other than a pupil, who willfully violates this section shall be guilty of a misdemeanor.

Any pupil violating this section shall be subject to appropriate disciplinary action.

This section shall not be construed as affecting the powers, rights, and liabilities arising from the use of electronic listening or recording devices as provided for by any other provision of law.

(Enacted by Stats. 1976, Ch. 1010.)

## APPENDIX L: School Safety

### Safety

**AR 5142 (a)**

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

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 5131 - Conduct)*

*(cf. 5144 - Discipline)*

### Release of Students

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

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

*(cf. 5021 - Noncustodial Parents)*

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

*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*

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

*(cf. 5141.4 - Child Abuse Prevention and Reporting)*

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

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

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

**Safety (continued)****AR 5142 (b)****Supervision of Students**

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

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

*(cf. 3530 - Risk Management/Insurance)*

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

1. Where playground supervision is not otherwise provided, provide for certificated employees to supervise the conduct and safety, and direct the play, of students who are on school grounds before and after school and during recess and other intermissions (5 CCR 5552)
2. Clearly identify supervision zones on the playground and require all playground supervisors to remain outside at a location from which they can observe their entire zone of supervision
3. Consider the size of the playground area, the number of areas that are not immediately visible, and the age of the students to determine the ratio of playground supervisors to students

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

*(cf. 1240 - Volunteer Assistance)*

*(cf. 3515.2 - Disruptions)*

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 5131.4 - Student Disturbances)*

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

**Student Safety Patrols**

School safety patrols shall be used only at those locations where the nature of traffic will permit their safe operation. The locations where school safety patrols are used should be determined jointly with the local law enforcement agency. (5 CCR 572)

**Safety (continued)****AR 5142 (c)**

A school safety patrol shall be composed of students of the school who are selected by the principal and shall serve only with written consent from their parent/guardian. Patrol members shall be at least 10 years old and at least in the fifth grade. (Education Code 49302; 5 CCR 571)

Patrol members shall be under the supervision and control of the principal or designee and shall receive training in proper procedures, including, but not limited to, the operations specified in 5 CCR 573-574. Whenever on duty, patrol members shall wear the standard uniform required by 5 CCR 576.

**Playground Safety**

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

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

**Activities with Safety Risks**

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

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

*(cf. 5143 - Insurance)*

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

*(cf. 6153 - School-Sponsored Trips)*



**Safety (continued)****AR 5142 (d)**

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

**Laboratory Safety**

The principal of each school offering laboratory work shall develop procedures for laboratory safety and designate a trained certificated employee to implement and regularly review these procedures.

**Hearing Protection**

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

**Eye Safety Devices**

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

*(cf. 3260 - Fees and Charges)*

**Safety (continued)****BP 5142 (a)**

The Governing Board recognizes the importance of providing a safe school environment that is conducive to learning and promotes student safety and well-being. Appropriate measures shall be implemented to minimize the risk of harm to students, including, but not limited to, protocols for maintaining safe conditions on school grounds, promoting safe use of school facilities and equipment, and guiding student participation in educational programs and school-sponsored activities.

*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 3320 - Claims and Actions Against the District)*  
*(cf. 3514 - Environmental Safety)*  
*(cf. 3514.1 - Hazardous Substances)*  
*(cf. 3514.2 - Integrated Pest Management)*  
*(cf. 3515 - Campus Security)*  
*(cf. 3515.21 - Unmanned Aircraft Systems (Drones))*  
*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*  
*(cf. 3530 - Risk Management/Insurance)*  
*(cf. 3542 - School Bus Drivers)*  
*(cf. 3543 - Transportation Safety and Emergencies)*  
*(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)*  
*(cf. 4119.43/4219.43/4319.43 - Universal Precautions)*  
*(cf. 5131 - Conduct)*  
*(cf. 5131.1 - Bus Conduct)*  
*(cf. 5141 - Health Care and Emergencies)*  
*(cf. 5141.22 - Infectious Diseases)*  
*(cf. 5142.1 - Identification and Reporting of Missing Children)*  
*(cf. 5143 - Insurance)*  
*(cf. 6145.2 - Athletic Competition)*  
*(cf. 6163.2 - Animals at School)*  
*(cf. 7111- Evaluating Existing Buildings)*

School staff shall be responsible for the proper supervision of students at all times when students are subject to district rules, including, but not limited to, during school hours, school-sponsored activities, before and after-school programs, morning drop-off and afternoon pick-up, and while students are using district transportation.

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

*(cf. 5141.7 - Sun Safety)*  
*(cf. 6142.8 - Comprehensive Health Education)*

**Safety (continued)****AR 5142 (b)****Crossing Guards/Student Safety Patrol**

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

*(cf. 5142.2 - Safe Routes to School Program)*

**Student Identification Cards and Safety Information**

Student identification cards of students in grades 7-8 shall have printed on them safety information, including the following: (Education Code 215.5, 217)

1. The National Suicide Prevention Lifeline telephone number and, at the district's discretion, the Crisis Text Line and/or a local suicide prevention hotline telephone number

*(cf. 5141.52 - Suicide Prevention)*

2. The National Domestic Violence Hotline

*(cf. 5141.4 - Child Abuse Prevention and Reporting)*

**Legal Reference:****EDUCATION CODE**

8482-8484.65 After School Education and Safety Program

17280-17317 Building approvals (Field Act)

17365-17374 Fitness of school facilities for occupancy

32001 Fire alarms and drills

32020 School gates; entrances for emergency vehicles

32030-32034 Eye safety

32040 First aid equipment

32225-32226 Two-way communication devices in classrooms

32240-32245 Lead-free schools

32250-32254 CDE school safety and security resources unit

32280-32289 Safety plans

44807 Duty of teachers concerning conduct of students

44808 Exemption from liability when students are not on school property

44808.5 Permission for students to leave school grounds; notice (high school)

45450-45451 Crossing guards

**Safety (continued)****AR 5142 (c)***Legal Reference continued:**48900 Hazing**49300-49307 School safety patrol**49330-49335 Injurious objects**49341 Hazardous materials in school science laboratories**51202 Instruction in personal and public health and safety***GOVERNMENT CODE***810-996.6 California Tort Claims Act***HEALTH AND SAFETY CODE***115725-115735 Playground safety**115775-115800 Wooden playground equipment**116046 Issuance of best practices guidelines for K-12 pool safety***PENAL CODE***245.6 Hazing***PUBLIC RESOURCES CODE***5411 Purchase of equipment usable by persons with disabilities***VEHICLE CODE***21100 Rules and regulations; crossing guards**21201 Rules for operation of bicycle on roadway**21212 Use of helmets**42200 Fines and forfeitures, disposition by cities**42201 Fines and forfeitures, disposition by counties***CODE OF REGULATIONS, TITLE 5***202 Exclusion of students with a contagious disease**570-576 School safety patrols**5531 Supervision of social activities**5552 Playground supervision**5570 When school shall be open and teachers present**14030 Standards for development of plans for the design and construction of school facilities**14103 Bus driver; authority over pupils***COURT DECISIONS***J.H. v. Los Angeles Unified School District, (2010) 183 Cal.App.4th 123**Lane v. City of Sacramento, (2010) 183 Cal. App. 4th. 1337**Wiener v. Southcoast Childcare Centers, (2004) 32 Cal.4th 1138**Kahn v. East Side Union High School District, (2003) 31 Cal.4th 990**Knight v. Jewett, (1992) 3 Cal.4th 296, 313**Hoyem v. Manhattan Beach City School District, (1978) 22 Cal. 3d 508**Dailey v. Los Angeles Unified School District, (1970) 2 Cal 3d 741**Management Resources: (see next page)*

**Safety (continued)****AR 5142 ©***Management Resources:***AMERICAN SOCIETY FOR TESTING AND MATERIALS**

*F 1487-05, Standard Consumer Safety Performance Specification for Playground Equipment for Public Use, 2017*

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

*Science Safety Handbook for California Public Schools, 2014*

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

*Public Playground Safety Handbook, 2010*

**WEB SITES**

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

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

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

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

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

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

*U.S. Department of Education, Safe Schools:*

*<http://www.ed.gov/about/offices/list/osep/gtss.html>*

Policy

adopted: September 8, 2015

revised: February 25, 2020

**PANAMA-BUENA VISTA UNION SCHOOL DISTRICT**

Bakersfield, California

## **APPENDIX M:**

### **Campus Security**

#### **Campus Security**

**AR 53515 (a)**

The Superintendent or designee shall develop a campus security plan which contributes to a positive school climate, fosters social and emotional learning and student well-being, and includes strategies to:

1. Secure the campus perimeter and school facilities in order to prevent criminal activity

These strategies include a risk management analysis of each campus' security system, lighting system, and fencing. Procedures to ensure unobstructed views and eliminate blind spots caused by doorways and landscaping shall also be considered. In addition, parking lot design may be studied, including methods to discourage through traffic.

2. Secure buildings and interior spaces from outsiders and discourage trespassing

These strategies may include installing locks, requiring visitor registration, providing staff and student identification tags, and patrolling places used for congregating and loitering.

(cf. 1250 - Visitors/Outsiders)

(cf. 3515.2 - Disruptions)

(cf. 5112.5 - Open/Closed Campus)

3. Discourage vandalism and graffiti

These strategies may include plans to immediately cover graffiti and implement campus beautification projects

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

(cf. 5131.5 - Vandalism and Graffiti)

(cf. 5137 - Positive School Climate)

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

4. Control access to keys and other school inventory

(cf. 3440 - Inventories)

**Campus Security****AR 53515 (b)**

5. Detect and intervene with school crime These strategies may include creating a school watch program, increasing adult presence and supervision, establishing an anonymous crime reporting system, analyzing school crime incidents, and collaborating with local law enforcement agencies, including providing for law enforcement presence.

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

*(cf. 3515.7 - Firearms on School Grounds)*

*(cf. 3516.2 - Bomb Threats)*

*(cf. 5116.2 - Involuntary Student Transfers)*

*(cf. 5131.2 - Bullying)*

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

*(cf. 5141.52 - Suicide Prevention)*

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

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

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

All staff shall receive training in building and grounds security procedures and emergency response.

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

**Locks**

All state-funded new construction and modernization projects shall include locks that allow doors to classrooms and any room with an occupancy of five or more persons to be locked from the inside. Student restrooms and doors that lock from the outside at all times are not required to have locks that can be locked from the inside. (Education Code 17075.50, 17583; 24 CCR 1010.1.9, 1010.1.11)

**Keys**

All keys used in a school shall be the responsibility of the principal or designee. Keys shall be issued only to authorized employees who regularly need a key in order to carry out their job responsibilities.

The principal or designee shall create a key control system with a record of each key assigned and room(s) or building(s) which the key opens.

Keys shall never be loaned to students, parents/guardians, or volunteers, nor shall the master key ever be loaned.

**Campus Security****AR 53515 ©**

Any person issued a key shall be responsible for its safekeeping. The duplication of school keys is prohibited. If a key is lost, the person responsible shall immediately report the loss to the principal or designee and shall pay for a replacement key.

Regulation  
approved: September 8, 2015  
revised: February 25, 2020

**PANAMA-BUENA VISTA UNION SCHOOL DISTRICT**  
Bakersfield, California



**Campus Security****BP 53515 (a)**

The Board of Trustees is committed to providing a school environment that promotes the safety of students, employees, and visitors to school grounds. The Board also recognizes the importance of protecting district property, facilities, and equipment from vandalism and theft.

The Superintendent or designee shall develop campus security procedures which are consistent with the goals and objectives of the district's comprehensive safety plan and site-level safety plans. Such procedures shall be regularly reviewed to reflect changed circumstances and to assess their effectiveness in achieving safe school objectives.

*(cf. 0450 - Comprehensive Safety Plan)*

**Surveillance Systems**

The Board believes that reasonable use of surveillance cameras will help the district achieve its goals for campus security. In consultation with the safety planning committee and relevant staff, the Superintendent or designee shall identify appropriate locations for the placement of surveillance cameras. Cameras shall not be placed in areas where students, staff, or community members have a reasonable expectation of privacy. Any audio capability on the district's surveillance equipment shall be disabled so that sounds are not recorded.

*(cf. 5131.1 - Bus Conduct)*

*(cf. 5145.12 - Search and Seizure)*

Prior to the operation of the surveillance system, the Superintendent or designee shall ensure that signs are posted at conspicuous locations at affected school buildings and grounds. These signs shall inform students, staff, and visitors that surveillance may occur and shall state whether the district's system is actively monitored by school personnel. The Superintendent or designee shall also provide prior written notice to students and parents/guardians about the district's surveillance system, including the locations where surveillance may occur, explaining that the recordings may be used in disciplinary proceedings, and that matters captured by the camera may be referred to local law enforcement, as appropriate.

*(cf. 5144 - Discipline)*

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

To the extent that any images from the district's surveillance system create a student or personnel record, the Superintendent or designee shall ensure that the images are accessed, retained, and disclosed in accordance with law, Board policy, administrative regulation, and any applicable collective bargaining agreements.

*(cf. 4112.6/4212.6/4312.6 - Personnel Records)*

*(cf. 5125 - Student Records)*

**Campus Security****BP 53515 (b)***(cf. 5125.1 - Release of Directory Information)**Legal Reference:*EDUCATION CODE

32020 Access gates

32211 Threatened disruption or interference with classes

32280-32288 School safety plans

35160 Authority of governing boards

35160.1 Broad authority of school districts

38000-38005 Security patrols

49050-49051 Searches by school employees

49060-49079 Student records

PENAL CODE

469 Unauthorized making, duplicating or possession of key to public building

626-626.10 Disruption of schools

CALIFORNIA CONSTITUTION

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

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

COURT DECISIONS*New Jersey v. T.L.O.* (1985) 469 U.S. 325ATTORNEY GENERAL OPINIONS83 *Ops.Cal.Atty.Gen.* 257 (2000)75 *Ops.Cal.Atty.Gen.* 155 (1992)*Management Resources:*CSBA PUBLICATIONS*Protecting Our Schools: Board of Trustees Strategies to Combat School Violence*, 1999CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS*Safe Schools: A Planning Guide for Action*, 2002NATIONAL INSTITUTE OF JUSTICE PUBLICATIONS*The Appropriate and Effective Use of Security Technologies in U.S. Schools: A Guide for Schools and Law Enforcement Agencies*, 1999WEB SITESCSBA: <http://www.csba.org>California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lss>National Institute of Justice: <http://www.ojp.usdoj.gov/nij>

## APPENDIX N: Bullying

### Bullying

AR 5131.2 (a)

### Definitions

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and involves repetition or potential repetition of a deliberate act.

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

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

*(cf. 6163.4 - Student Use of Technology)*

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to:

1. Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
2. Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
3. Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
4. Cyberbullying, such as sending demeaning or hateful text messages or emails, sending rumors by email or by posting on social networking sites, or posting embarrassing photos, videos, web site, or fake profiles

**Bullying (continued)****AR 5131.2 (b)****Measures to Prevent Bullying**

The Superintendent or designee shall implement measures to prevent bullying in district schools, including, but not limited to, the following:

1. Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate

*(cf. 5131 - Conduct)*

*(cf. 5137 - Positive School Climate)*

2. Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
3. Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously
4. Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias
5. Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

**Staff Development**

The Superintendent or designee shall make the California Department of Education's online training module on the dynamics of bullying and cyberbullying, which includes the identification of bullying and cyberbullying and the implementation of strategies to address bullying, available annually to all certificated staff and to other employees who have regular interaction with students. (Education Code 32283.5)

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

**Bullying (continued)****AR 5131.2 ©**

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

1. Discuss the diversity of the student body and school community, including their varying immigration experiences
2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
3. Identify the signs of bullying or harassing behavior
4. Take immediate corrective action when bullying is observed
5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

**Student Instruction**

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

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6142.94 - History-Social Science Instruction)*

The district shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff shall be expected to demonstrate effective problem-solving and anger management skills.

To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and to consider the consequences of making negative comments about others online.

**Bullying (continued)****AR 5131.2 (d)****Reporting and Filing of Complaints**

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.

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

*(cf. 1312.3 - Uniform Complaint Procedures)*

Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

**Discipline/Corrective Actions**

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

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

*(cf. 5144 - Discipline)*

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

**Bullying (continued)****AR 5131.2 (e)**

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

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

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

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

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

If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement district intervention protocols which may include, but are not limited to, referral to district or community mental health services, other health professionals, and/or law enforcement.

*(cf. 5141.52 - Suicide Prevention)*

**Bullying (continued)****BP 5131.2 (a)**

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

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

*(cf. 5131 - Conduct)*

*(cf. 5136 - Gangs)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

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

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images as defined in Education Code 48900. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

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

*(cf. 6163.4 - Student Use of Technology)*

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

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

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 0460 - Local Control and Accountability Plan)*

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 6020 - Parent Involvement)*

As appropriate, the Superintendent or designee may collaborate with law enforcement, courts, social services, mental health services, other agencies, and community organizations in the development and implementation of joint strategies to promote safety in schools and the community and to provide services for alleged victims and perpetrators of bullying.

*(cf. 1020 - Youth Services)*



**Bullying (continued)****BP 5131.2 (b)****Bullying Prevention**

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

*(cf. 5137 - Positive School Climate)*

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

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6142.94 - History-Social Science Instruction)*

Such instruction shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

1. Discuss the diversity of the student body and school community, including their varying immigration experiences
2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
3. Identify the signs of bullying or harassing behavior
4. Take immediate corrective action when bullying is observed
5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

**Bullying (continued)****BP 5131.2 (c)***(cf. 4131 - Staff Development)**(cf. 4231 - Staff Development)**(cf. 4331 - Staff Development)*

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

**Intervention**

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

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

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

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

*(cf. 6164.2 - Guidance/Counseling Services)***Reporting and Filing of Complaints**

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

**Bullying (continued)****BP 5131.2 (d)**

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

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

**Investigation and Resolution of Complaints**

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3.

If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

**Discipline**

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

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

*(cf. 5144 - Discipline)*

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

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

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

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

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

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

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

**Bullying (continued)****BP 5131.2 (d)***Legal Reference:*EDUCATION CODE*200-262.4 Prohibition of discrimination**32282 Comprehensive safety plan**32283.5 Bullying; online training**35181 Governing board policy on responsibilities of students**35291-35291.5 Rules**48900-48925 Suspension or expulsion**48985 Translation of notices**52060-52077 Local control and accountability plan*PENAL CODE*422.55 Definition of hate crime**647 Use of camera or other instrument to invade person's privacy; misdemeanor**647.7 Use of camera or other instrument to invade person's privacy; punishment**653.2 Electronic communication devices, threats to safety*CODE OF REGULATIONS, TITLE 5*4600-4687 Uniform complaint procedures*UNITED STATES CODE, TITLE 47*254 Universal service discounts (e-rate)*CODE OF FEDERAL REGULATIONS, TITLE 28*35.107 Nondiscrimination on basis of disability; complaints*CODE OF FEDERAL REGULATIONS, TITLE 34*104.7 Designation of responsible employee for Section 504**106.8 Designation of responsible employee for Title IX**110.25 Notification of nondiscrimination on the basis of age*COURT DECISIONS*Wynar v. Douglas County School District, (2013) 728 F.3d 1062**J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094**Lavine v. Blaine School District, (2002) 279 F.3d 719**Management Resources:*CSBA PUBLICATIONS*Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014**Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014**Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012**Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011**Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009*

*Management Resources Continued:*

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

*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS*

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

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

*Bullying at School, 2003*

*CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS*

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

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

*Guidance to Schools: Bullying of Students with Disabilities, October 2014*

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

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

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

*WEB SITES*

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

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

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

Center on Great Teachers and Leaders: <https://gtlcenter.org/>

Collaborative for Academic Social and Emotional Learning: <https://casel.org>

Common Sense Media: <http://www.commonsensemedia.org>

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

Partnership for Children and Youth: <https://www.partnerforchildren.org>

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

*Policy*

*adopted: September 8, 2015*

*revised: December 11, 2018*

**PANAMA-BUENA VISTA UNION SCHOOL DISTRICT**

*Bakersfield, California*

## **Complaint Reporting Procedures**

The Assistant Superintendent of Educational Services is the District Compliance Officer responsible for coordinating the district's response to questions or complaints of alleged discrimination, harassment, intimidation and bullying or Title IX equity and for complying with state and federal civil rights laws. The Assistant Superintendent may be reached at 4200 Ashe Road, Bakersfield, California 93313, telephone (661) 831-8331 ext. 6132. Complaint forms are available at the district office or on the district webpage: <https://www.pbvUSD.k12.ca.us/departments/educational-services/complaint-assistance>

## APPENDIX O: Suicide Prevention

### SUICIDE PREVENTION

**AR 5141.52 (a)**

Student identification cards shall include the National Suicide Prevention Lifeline telephone number and may also include the Crisis Text Line and/or a local suicide prevention hotline telephone number. (Education Code 215.5)

#### Staff Development

Suicide prevention training shall be provided to teachers, counselors, and other district employees who interact with students. The training shall be offered under the direction of a district counselor/psychologist and/or in cooperation with one or more community mental health agencies.

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

Materials for training shall include how to identify appropriate mental health services at the school site and within the community, and when and how to refer youth and their families to those services. Materials also may include programs that can be completed through self-review of suitable suicide prevention materials. (Education Code 215)

Staff development shall include research and information related to the following topics:

1. The higher risk of suicide among certain groups, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning youth
2. Individual risk factors such as previous suicide attempt(s) or self-harm, history of depression or mental illness, family history of suicide or violence, feelings of isolation, interpersonal conflicts, a recent severe stressor or loss, family instability, impulsivity, and other factors

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

3. Warning signs that may indicate depression, emotional distress, or suicidal intentions, such as changes in students' personality or behavior and verbalizations of hopelessness or suicidal intent

**SUICIDE PREVENTION (continued)****AR 5141.52 (b)**

4. Protective factors that may help to decrease a student's suicide risk, such as resiliency, problem-solving ability, access to mental health care, and positive connections to family, peers, school, and community
5. Instructional strategies for teaching the suicide prevention curriculum and promoting mental and emotional health
6. School and community resources and services, including resources and services that meet the specific needs of high-risk groups

*(cf. 5141.6 - School Health Services)*

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

7. Appropriate ways to interact with a student who is demonstrating emotional distress or is suicidal and procedures for intervening when a student attempts, threatens, or discloses the desire to die by suicide, including, but not limited to, appropriate protocols for monitoring the student while the immediate referral of the student to medical or mental health services is being processed
8. District procedures for responding after a suicide has occurred

**Instruction**

The district's comprehensive health education program shall promote the healthy mental, emotional, and social development of students and shall be aligned with the state content standards and curriculum framework. Suicide prevention instruction shall be incorporated into the health education curriculum at appropriate secondary grades and shall be designed to help students:

1. Identify and analyze signs of depression and self-destructive behaviors and understand how feelings of depression, loss, isolation, inadequacy, and anxiety can lead to thoughts of suicide
2. Develop coping and resiliency skills and self-esteem
3. Learn to listen, be honest, share feelings, and get help when communicating with friends who show signs of suicidal intent
4. Identify trusted adults, school resources, and/or community crisis intervention resources where youth can get help and recognize that there is no stigma associated with seeking services for mental health, substance abuse, and/or suicide prevention

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



**SUICIDE PREVENTION (continued)****AR 5141.52 ©**

*(cf. 5141.6 - School Health Services)*

*(cf. 6142.8 - Comprehensive Health Education)*

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

**Intervention**

*Students shall be encouraged to notify a teacher, principal, counselor, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.*

*Every statement regarding suicidal intent shall be taken seriously. Whenever a staff member suspects or has knowledge of a student's suicidal intentions based on the student's verbalizations or act of self-harm, the staff member shall promptly notify the principal or school counselor, who shall implement district intervention protocols as appropriate.*

*Although any personal information that a student discloses to a school counselor shall generally not be revealed, released, referenced, or discussed with third parties, the counselor may report to the principal or student's parents/guardians when there is reasonable cause to believe that disclosure is necessary to avert a clear and present danger to the health, safety, or welfare of the student or others within the school community. In addition, the counselor may disclose information of a personal nature to psychotherapists, other health care providers, or the school nurse for the sole purpose of referring the student for treatment. (Education Code 49602)*

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

*School employees shall act only within the authorization and scope of their credential or license. An employee is not authorized to diagnose or treat mental illness unless specifically licensed and employed to do so. (Education Code 215)*

*Whenever schools establish a peer counseling system to provide support for students, peer counselors shall receive training that includes identification of the warning signs of suicidal behavior and referral of a suicidal student to appropriate adults.*

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

When a suicide attempt or threat is reported, the principal or designee shall ensure student safety by taking the following actions:

1. Immediately securing medical treatment and/or mental health services as necessary

**SUICIDE PREVENTION (continued)****AR 5141.52 (d)**

2. Notifying law enforcement and/or other emergency assistance if a suicidal act is being actively threatened
3. Keeping the student under continuous adult supervision until the parent/guardian and/or appropriate support agent or agency can be contacted and has the opportunity to intervene
4. Removing other students from the immediate area as soon as possible

*(cf. 0450 - Comprehensive Safety Plan)*

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

The principal or designee shall document the incident in writing, including the steps that the school took in response to the suicide attempt or threat.

*(cf. 5125 - Student Records)*

The Superintendent or designee shall follow up with the parent/guardian and student in a timely manner to provide referrals to appropriate services as needed. If the parent/guardian does not access treatment for the student, the Superintendent or designee may meet with the parent/guardian to identify barriers to treatment and assist the family in providing follow-up care for the student. If follow-up care is still not provided, the Superintendent or designee shall consider whether it is necessary, pursuant to laws for mandated reporters of child neglect, to refer the matter to the local child protective services agency.

*(cf. 5141.4 - Child Abuse Prevention and Reporting)*

For any student returning to school after a mental health crisis, the principal or designee and/or school counselor may meet with the parents/guardians and, if appropriate, with the student to discuss re-entry and appropriate next steps to ensure the student's readiness for return to school and determine the need for ongoing support.

**Postvention**

In the event that a student dies by suicide, the Superintendent or designee shall communicate with the student's parents/guardians to offer condolences, assistance, and resources. In accordance with the laws governing confidentiality of student record information, the Superintendent or designee shall consult with the parents/guardians regarding facts that may be divulged to other students, parents/guardians, and staff.

**SUICIDE PREVENTION (continued)****AR 5141.52 (e)**

The Superintendent or designee shall implement procedures to address students' and staff's grief and to minimize the risk of imitative suicide or suicide contagion. The Superintendent or designee shall provide students, parents/guardians, and staff with information, counseling, and/or referrals to community agencies as needed. School staff may receive assistance from school counselors or other mental health professionals in determining how best to discuss the suicide or attempted suicide with students.

Any response to media inquiries shall be handled by the district-designated spokesperson who shall not divulge confidential information. The district's response shall not sensationalize suicide and shall focus on the district's postvention plan and available resources.

*(cf. 1112- Media Relations)*

After any suicide or attempted suicide by a student, the Superintendent or designee shall provide an opportunity for all staff who responded to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions.

Regulation  
approved: September 8, 2015  
revised: February 26, 2019

**PANAMA-BUENA VISTA UNION SCHOOL DISTRICT**  
Bakersfield, California

**SUICIDE PREVENTION (continued)****BP 5141.52 (a)**

The Governing Board recognizes that suicide is a leading cause of death among youth and that school personnel who regularly interact with students are often in a position to recognize the warning signs of suicide and to offer appropriate referral and/or assistance. In an effort to reduce suicidal behavior and its impact on students and families, the Superintendent or designee shall develop measures and strategies for suicide prevention, intervention, and postvention.

In developing measures and strategies for use by the district, the Superintendent or designee may consult with school health professionals, school counselors, school psychologists, school social workers, administrators, other staff, parents/guardians, students, suicide prevention experts, local health agencies, mental health professionals, and community organizations.

*(cf. 1220 - Citizen Advisory Committees)*

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

Such measures and strategies shall include, but are not limited to:

1. Staff development on suicide awareness and prevention for teachers, school counselors, and other district employees who interact with students

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

2. Instruction to students in problem-solving and coping skills to promote students' mental, emotional, and social health and well-being, as well as instruction in recognizing and appropriately responding to warning signs of suicidal intent in others

*(cf. 6142.8 - Comprehensive Health Education)*

3. Methods for promoting a positive school climate that enhances students' feelings of connectedness with the school and that is characterized by caring staff and harmonious interrelationships among students

*(cf. 5131 - Conduct)*

*(cf. 5131.2 - Bullying)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

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

**SUICIDE PREVENTION (continued)****BP 5141.52 (b)**

4. The provision of information to parents/guardians regarding risk factors and warning signs of suicide, the severity of the suicide problem among youth, the district's suicide prevention curriculum, basic steps for helping suicidal youth, and/or school and community resources that can help youth in crisis
5. Encouragement for students to notify appropriate school personnel or other adults when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions
6. Crisis intervention procedures for addressing suicide threats or attempts
7. Counseling and other postvention strategies for helping students, staff, and others cope in the aftermath of a student's suicide

As appropriate, these measures and strategies shall specifically address the needs of students who are at high risk of suicide, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning youth. (Education Code 215)

The Board shall review, and update as necessary, this policy at least every five years. (Education Code 215)

*Legal Reference:***EDUCATION CODE***215 Student suicide prevention policies**215.5 Suicide prevention hotline contact information on student identification cards**216 Suicide prevention online training programs**32280-32289 Comprehensive safety plan**49060-49079 Student records**49602 Confidentiality of student information**49604 Suicide prevention training for school counselors***GOVERNMENT CODE***810-996.6 Government Claims Act***PENAL CODE***Legal Reference continued on next page*

**SUICIDE PREVENTION (continued)****BP 5141.52 (c)***Legal Reference continued:**11164-11174.3 Child Abuse and Neglect Reporting Act**WELFARE AND INSTITUTIONS CODE**5698 Emotionally disturbed youth; legislative intent**5850-5883 Children's Mental Health Services Act**COURT DECISIONS**Corales v. Bennett (Ontario-Montclair School District), (2009) 567 F.3d 554**Management Resources:**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve, 2008**Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003**CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS**School Connectedness: Strategies for Increasing Protective Factors Among Youth, 2009**NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS PUBLICATIONS**Preventing Suicide: Guidelines for Administrators and Crisis Teams, 2015**U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS**National Strategy for Suicide Prevention: Goals and Objectives for Action, rev. 2012**Preventing Suicide: A Toolkit for High Schools, 2012**WEB SITES**American Association of Suicidology: <http://www.suicidology.org>**American Foundation for Suicide Prevention: <https://afsp.org>**American Psychological Association: <http://www.apa.org>**American School Counselor Association: <https://www.schoolcounselor.org>**California Department of Education, Mental Health: <http://www.cde.ca.gov/ls/cg/mh>**California Department of Health Care Services, Suicide Prevention Program:**<http://www.dhcs.ca.gov/services/MH/Pages/SuicidePrevention.aspx>**Centers for Disease Control and Prevention, Mental Health: <http://www.cdc.gov/mentalhealth>**National Association of School Psychologists: <https://www.nasponline.org>**National Institute for Mental Health: <http://www.nimh.nih.gov>**Trevor Project: <http://thetrevorproject.org>**U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration: <http://www.samhsa.gov>*

Policy

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