





# Comprehensive School Safety Plan

## 2024-25 School Year

**School:** Clarence Ruth Elementary School  
**CDS Code:** 42-69229-6045587  
**District:** Lompoc Unified School District  
**Address:** 501 North W Street  
Lompoc, CA 93436  
**Date of Adoption:** November 30, 2023  
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**Date of Review:**  
- with Staff  
- with Law Enforcement  
- with Fire Authority

**Approved by:**

Name	Title	Signature	Date
Victor Velazquez	Principal		
Lynette Martin	Dean of Student Engagement		
Monica Nicholson	School Nurse/Safety Committee		
Veronica Amador	School Site Council / Chairperson		
Chris Holmes	Safe Schools Coordinator		

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## Comprehensive School Safety Plan Purpose

Effective January 1, 2019, Assembly Bill 1747 (Rodriguez), School Safety Plans, became law. This bill requires that during the writing and development of the comprehensive school safety plan (CSSP), the school site council or safety committee consult with a fire department and other first responder entities in addition to currently required entities. It requires the CSSP and any updates made to the plan to be shared with the law enforcement agency, the fire department, and the other first responder entities.

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

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

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

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

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

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

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

A copy of the Comprehensive School Safety Plan is available for review at the school and district office..

## Safety Plan Vision

Our Mission at Clarence Ruth Elementary School is to:

- Teach Common Core Curriculum and Standards to all students.
- Teach the English language including high levels of reading, writing, speaking, and listening to all English learners.
- Intervene early when students are at risk of falling behind.
- Provide a safe, secure, and peaceful school environment to maximize teaching and learning.
- Engage and involve parents in the educational process of their children.

School Staff Members will:

- Create an environment that engages students in becoming lifelong learners and productive citizens.
- Provide opportunities for parent meetings.
- Collaborate effectively.

Parents will:

- Recognize their continuing role as their child's first teacher.
- Ensure regular and punctual attendance.
- Attend school conferences and meetings.

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

### Clarence Ruth Elementary School Safety Committee

Victor Velazquez - Principal

Lynette Martin - Dean of Student Engagement

Monica Nicholson - School Nurse

### Assessment of School Safety

Assessment of School Safety Data sources used to gather and analyze our school safety include:

- Attendance Reports
- CPS Reports
- Reportable Crime Reports
- Suspension/Expulsion Data
- Needs Assessment Surveys
- Office referrals
- School improvement plan sourced from the SPSA
- Board Policies

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

Strategies and Programs to provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J) Strategies and programs to provide and maintain a high level of safety include:

- ASES is an after-school program provided in conjunction with the YMCA. ASES implements safety drills on a regular basis following the District's procedures.
- Sexual Harassment Policies
- Child Abuse Reporting Procedures
- Dangerous Pupils Procedures
- Safe Ingress and Egress
- Hate Crime Reporting Procedures

Procedures for Preventing Acts of Bullying and Cyber-bullying Evaluation and Amendment Procedures Emergency Contact Numbers Emergency Response Guidelines Emergencies – all sections Pupil Services will send guidelines for review ASES is an afterschool program. It provides a safe and orderly environment for learning. We partner with our local YMCA to provide the ASES after-school educational program. Additionally, we coordinate with the YMCA to provide instruction as well as safety and rule procedures during the ASES program. ASES implements safety drills on a regular bases following the District procedures. (A) Child Abuse Reporting Procedures (EC 35294.2 [a] (2); PC 11166) OUR GOAL: The District is dedicated to providing a child-safe environment. A safe, nurturing environment to promote all public school students' learning and growth, free from abuse and neglect, shall be a continual goal of the District. The District expects all staff members, including teachers, coaches, counselors, administrators, classified staff members, and volunteers, to maintain high professional, moral, and ethical standards in their conduct with students. The interactions and relationships among staff members and students are based upon mutual respect and trust. An understanding of appropriate boundaries among adults and students in an educational setting is consistent with the mission of the District. Communication and interaction are vital elements in learning and instruction. In order to promote the safety of students and to prevent misunderstandings and false accusations, procedures for child abuse prevention that include a definition of reasonable boundaries are necessary. A staff member or volunteer who observes or has reasonable evidence of child abuse shall immediately report such conduct in accordance with the procedures outlined in this chapter. The proper authorities shall promptly investigate all reported allegations.

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

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The State Department of Education encourages District's to collaborate with outside consultants, including law enforcement, with expertise in sexual abuse and sex trafficking prevention education in order to create a school safety plan to address the threat of sexual abuse and sex trafficking.

In-service training may be conducted periodically to enable district personnel to learn about new developments in the understanding of sexual abuse and sex trafficking, and to receive instruction on current prevention efforts and methods. District's are encouraged to include training on early identification of sexual abuse and sex trafficking of pupils and minors.

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, including sexual assault or sexual exploitation, of a child as defined in Penal Code 11165.1
3. Neglect as defined in Penal Code 11165.2
4. Willful cruelty or injuring of a child or the endangering of the person or health of a child as defined in Penal Code 11165.3
5. Unlawful corporal punishment or injury as defined in Penal Code 11165.4

Child abuse or neglect does not include:

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment (Penal Code 11165.6)
3. An injury resulting from the exercise by a teacher, vice principal, principal or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of the student (Education Code 49001)
5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by the student (Education Code 49001)

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

(cf. 5141.41 - Child Abuse Prevention)

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

#### Reportable Offenses

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

Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on evidence of severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the appropriate agency. (Penal Code 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)

#### Reporting Procedures

##### 1. Initial Telephone Report

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

Child Welfare Services 1-800-367-0166  
(For immediate danger, dial 911)

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

##### 2. Written Report

Within 36 hours of 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 report which includes a completed Department of Justice form(SS 8572). (Penal Code 11166, 11168)

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

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

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



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

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)

FAX (preferable) the report to: 805-346-7418

OR mail the written report to:

Child Welfare Services

2125 S. Centerpoint Pkwy

Santa Maria, CA 93455

Or email the report to: DSSCWSCIU@co.santa.barbara.ca.us

## 1. 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)

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

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

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

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

## Training

Training of mandated reporters shall include child abuse identification and reporting. (Penal Code 11165.7)

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

(cf. 4119.21/4219.21/4319.21 - Professional Standards) (cf. 4131 - Staff Development)

(cf. 4231 - Staff Development) (cf. 4331 - Staff Development) (cf. 5145.7 - Sexual Harassment)

## Victim Interviews by Social Services

Whenever a representative from the Department of Social Services deems it necessary, a suspected victim may be interviewed on school premises, concerning a report of suspected child abuse or neglect that occurred within the child's home or out-of-home care facility. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

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

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.

2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Neglect Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.

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

#### Release of Child to Peace Officer

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

#### (cf. 5145.11 - Questioning and Apprehension) Parent/Guardian Complaints

Upon request, the Superintendent or designee shall provide parents/guardians with a copy of the district's administrative regulation that describes how to report suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is other than English, such procedures shall be in their primary language and, when communicating orally regarding those procedures, an interpreter shall be provided.

#### (cf. 5145.6 - Parental Notifications)

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

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

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

#### (cf. 1312.3 - Uniform Complaint Procedures) Notifications

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

Before beginning employment, employees shall sign the statement indicating that they have knowledge of the reporting obligations under Penal Code 11166 and that they will comply with those provisions. The signed statements shall be retained by the Superintendent or designee. (Penal Code 11166.5)

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

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

The Superintendent or designee shall also notify all employees that:

1. A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report 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 report an incident of known or reasonably suspected child abuse or neglect, he/she is guilty of a misdemeanor punishable by a fine and/or imprisonment. (Penal Code 11166)

3. No employee shall be subject to any sanction by the district for making a report. (Penal Code 11166)

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

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

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

The Red Cross may designate Clarence Ruth as a disaster shelter in the event of an emergency.

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

(Pursuant to Education Code 48900 and Lompoc Unified School District Board Policy 5144.1)

The Lompoc Unified School District desires to provide 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 has developed rules and regulations setting the standards of behavior expected of students and the disciplinary process and procedures for addressing violations of those standards, including suspension and/or expulsion.

##### LUSD Board Policy 5144.1

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, 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. 1020 - Youth Services) (cf. 5138 - Conflict Resolution/Peer Mediation) (cf. 5144 - Discipline) (cf. 6142.4 - Service Learning/Community Service Classes) (cf. 6164.2 - Guidance/Counseling Services) (cf. 6164.5 - Student Success Teams)

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

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

Students shall not be suspended or expelled for truancy, tardiness, or absenteeism from assigned school activities. (cf. 5113 - Absences and Excuses) (cf. 5113.1 - Chronic Absence and Truancy)

## On-Campus Suspension

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

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

### Authority to Expel

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

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

1. Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (cf. 5131.7 - Weapons and Dangerous Instruments)
2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

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

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

A vote to expel a student shall be taken in a public session.

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)

### 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 annually present to the Board a report of the outcome data which the District is required to collect pursuant to Education Code 48900.8 and 48916.1, including 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. The report shall be disaggregated by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, foster youth, and students with disabilities. The report also shall include information about 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)

## LUSD Administrative Regulation 5144.1

### 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))

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)) 25

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b)) (cf. 5131 - Conduct) (cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c)) (cf. 5131.6 - Alcohol and Other Drugs)

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

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

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

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

8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h)) (cf. 5131.62 - Tobacco)

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

10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code AR 5144.1 Students Suspension and Expulsion/Due Process (continued) Page 3 of 25 48900(j))

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

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

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

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

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

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

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

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

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

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

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

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

Reasonable student means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of his/her age, or for a person of his/her age with his/her disability. (Education Code 48900(r)) (cf. 1114 - District-Sponsored Social Media) (cf. 5131.2 - Bullying) (cf. 6163.4 - Student Use of Technology) (cf. 6164.4 - Identification and Evaluation of Individuals for Special Education) (cf. 6164.6 - Identification and Education under Section 504)

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

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

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

Additional Grounds for Suspension and Expulsion: Grades 4-12

Any student in grades 4-12 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k)) (cf. 5131.4 - Student Disturbances)

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

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

Sexual harassment means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code 212.5, 48900.2) (cf. 5145.7 - Sexual Harassment)

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

Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55) (cf. 5145.9 - Hate-Motivated Behavior)

3. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4) (cf. 5145.3 - Nondiscrimination/Harassment)

Suspension from Class by a Teacher

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

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

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

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

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

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

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

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

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

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

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

When other means of correction are implemented prior to imposing suspension or supervised suspension upon a student, the Superintendent, principal, or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5) (cf. 5125 - Student Records)

**Length of Suspension** The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days. (Education Code 48911) A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class for the purpose of adjustment, he/she may be suspended for not more than 30 school days in a school year. The District may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903, 48911, 48912) (cf. 6184 - Continuation Education)

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

#### Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

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

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

2. **Administrative Actions:** All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee via the student information system. (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 AR 5144.1 Students Suspension and Expulsion/Due Process (continued) Page 9 of 25 person. Whenever a student is suspended, the parent/guardian shall also be notified in writing of the suspension. (Education Code 48911) This notice shall state the specific offense committed by the student. (Education Code 48900.8) In addition, the notice may state the date and time when the student may return to school.

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

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

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

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

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

c. If the student involved is a foster youth, the Superintendent or designee shall notify the District liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1) (cf. 6173.1 - Education for Foster Youth)

d. If the student involved is a homeless child or youth, the Superintendent or designee shall notify the District liaison for homeless students. (Education Code 48918.1) (cf. 6173 - Education for Homeless Children)

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

#### Suspension by the Board

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

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

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information violating a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912) (cf. 9321 - Closed Session Purposes and Agendas)

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

#### On-Campus Suspension

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

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

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

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

4. The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

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

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

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

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

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

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

4. Robbery or extortion

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



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

#### Student's Right to Expulsion Hearing

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

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

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

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless the AR 5144.1 Students Suspension and Expulsion/Due Process (continued) Page 13 of 25 student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (Education Code 48918(a))

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

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

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

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

#### Rights of Complaining Witness

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

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

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

#### Written Notice of the Expulsion Hearing

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

1. The date and place of the hearing
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based
3. A copy of district disciplinary rules which relate to the alleged violation
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the District to any other district in which the student seeks enrollment This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c). (cf. 5119 - Students Expelled from Other Districts)
5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a non-attorney adviser Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California. Non-attorney adviser means an individual who is not an attorney or lawyer, but AR 5144.1 Students Suspension and Expulsion/Due Process (continued) Page 15 of 25 who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.
6. The right to inspect and obtain copies of all documents to be used at the hearing
7. The opportunity to confront and question all witnesses who testify at the hearing

8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses

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

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

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

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

#### Conduct of Expulsion Hearing

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

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (Education Code 48918(c)) If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

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

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

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i)) If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

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

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

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

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

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

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

c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.

d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.

e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.

f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the District shall provide a nonthreatening environment. (1) The District shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

(3) The person conducting the hearing may:

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

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

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

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

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

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

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

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

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

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

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel or is waived through the signing of a stipulated expulsion agreement, the final action to expel shall be taken by the Board in public. (Education Code 48918(j)) (cf. 9321.1 - Closed Session Actions and Reports)

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

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

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

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

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

#### Written Notice to Expel

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

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

#### Decision to Suspend Expulsion Order

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

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

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

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" above or violates any of the District's rules and regulations governing student conduct. (Education Code 48917)
4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)
6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of his/her status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))
7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the AR 5144.1 Students Suspension and Expulsion/Due Process (continued) Page 23 of 25 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

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance. In addition, law enforcement authorities shall be notified regarding any acts by students regarding the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902) Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

#### 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 AR 5144.1 Students Suspension and Expulsion/Due Process (continued) Page 24 of 25 elementary school, unless the program is offered at a community day school established at any of these
3. Not housed at the school site attended by the student at the time of suspension (cf. 6158 - Independent Study) (cf. 6185 - Community Day School)

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

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

#### Readmission After Expulsion

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

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

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

#### Maintenance of Records

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

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

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1) (cf. 5119 - Students Expelled from Other Districts)

#### LUSD Administrative Regulation 5144.2

##### Suspension And Expulsion/Due Process (Students With Disabilities)

A student identified as an individual with a disability pursuant to the Individuals with Disabilities Education Act (IDEA), 20 USC 1400-1482, is subject to the same grounds and procedures for suspension and expulsion which apply to students without disabilities, except as otherwise specified in this administrative regulation. (cf. 5144.1 - Suspension and Expulsion/Due Process)

##### Suspension

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

The principal or designee shall monitor the number of days, including portions of days, in which a student with a valid individualized education program (IEP) has been suspended during the school year. (cf. 6159 - Individualized Education Program)

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

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

If a student's removal is determined to be a change of placement as specified in items #1-2 above, or the student is suspended for more than 10 school days in the same school year, the student's IEP team shall determine the appropriate educational services. Such services shall be designed to enable the student to continue to participate in the general education curriculum in another setting, to progress toward meeting the goals set out in his/her IEP, and to address the student's behavior violation so that it does not recur. (20 USC 1412(a)(1)(A); 34 CFR 300.530)

If the IEP of a student with a disability requires the district to provide the student with transportation, the district shall provide the student with an alternative form of transportation at no cost to him/her or to his/her parent/guardian when he/she is to be excluded from school bus transportation. (Education Code 48915.5) (cf. 3541.2 - Transportation for Students with Disabilities)

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

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

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

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

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

A student who has been removed from his/her current placement because of dangerous behavior shall receive services, although in another setting, to the extent necessary to allow him/her to participate in the general education curriculum and to progress toward meeting the goals set out in his/her IEP. As appropriate, the student shall also receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

##### Manifestation Determination

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

1. Notice: On the date the decision to take disciplinary action is made, the student's parent/guardian shall be notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504. (20 USC 1415(k)(1)(H); 34 CFR 300.530) (cf. 5145.6 - Parental Notifications) (cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

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

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

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

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

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

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

The student shall be returned to the placement from which he/she was removed, unless the parent/guardian and Superintendent or designee agree to a change of placement as part of the modification of the behavioral intervention plan. (20 USC 1415(k)(1)(F); 34 CFR 300.530) (cf. 6159.4 - Behavioral Interventions for Special Education Students)

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

As appropriate, the student also shall receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. (20 USC 1415(k)(1)(D); 34 CFR 300.530) (cf. 6158 - Independent Study) (cf. 6185 - Community Day School)

#### Due Process Appeals

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

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

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

#### Readmission

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

#### Decision Not to Enforce Expulsion Order

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

#### Notification to Law Enforcement Authorities

Law enforcement notification requirements involving students with disabilities shall be the same as those specified for all students in AR 5144.1 - Suspension and Expulsion/Due Process. When giving any required notification concerning a student with disabilities to any law enforcement official, the principal or designee shall require the law enforcement official Page 5 of 8 AR 5144.2 Students Suspension And Expulsion/Due Process (Students With Disabilities) (Continued) to certify in writing that he/she will not disclose the student's information or records to any other person without the prior written consent of the student's parent/guardian. (Education Code 49076) (cf. 5131.7 - Weapons and Dangerous Instruments)

Report to County Superintendent of Schools

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

Procedures for Students Not Yet Eligible for Special Education Services

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

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

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

2. The parent/guardian has requested an evaluation of the student for special education pursuant to 20 USC 1414(a)(1)(B) or 34 CFR 300.300-300.311. (cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

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

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

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

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

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

The LUSD Student Management Information System (Aeries) alerts staff of their students that have violated the 48900 or 48915 policy code. The teacher has this information on the attendance screen for their class in Aeries. The attendance module displays an icon to the right of the student's name that indicates suspension data exists for the student. Teachers are informed that such information is to be kept in strictest confidence and is to disseminate no further.

Notifications are received from the Superior Court of California to the Superintendent of Schools pursuant to Welfare and Intuitions Code Section 827(b)(2). The notification is forwarded to the registrar or office of the student's school site of enrollment.

From California Education Code Section 49079

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

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

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



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

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

(Amended by Stats 2000, Ch. 345, Sec. 2) Reference:

Education Code 48900

Education Code 48900.2

Education Code 48900.3

Education Code 48900.4

Education Code 48900.7

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

The administration, teachers and staff of the Lompoc Unified School District actively strive to eliminate acts of sexual harassment at all District school sites. All personnel are aware of the mandates from the State of California, the California Department of Education, and the Board of Education of the Lompoc Unified School District and support them fully. All personnel receive instruction annually regarding the recognition, prevention and reporting of acts of sexual harassment. It is important that parents understand the provisions regarding sexual harassment and, in particular, student-to-student harassment.

From Lompoc Unified School District Board Policy 5145.7 – Sexual Harassment

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits sexual harassment of students at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment. The District strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer. (cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 1312.1 - Complaints Concerning District Employees) (cf. 5131 - Conduct) (cf. 5131.2 - Bullying) (cf. 5137 - Positive School Climate) (cf. 5141.4 - Child Abuse Prevention and Reporting) (cf. 5145.3 - Nondiscrimination/Harassment) (cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction) Complaints regarding sexual harassment shall be investigated and resolved in accordance with law and district procedures specified in AR 1312.3 - Uniform Complaint Procedures. Principals are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures. (cf. 1312.3 - Uniform Complaint Procedures)

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

Instruction/Information

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

1. What acts and behavior constitute sexual harassment; including the fact, that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
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. (cf. 4117.4 - Dismissal) (cf. 4117.7 - Employment Status Report) (cf. 4118 - Suspension/Disciplinary Action) (cf. 4218 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

## Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of sexual BP 5145.7 Students Sexual Harassment (continued) Page 3 of 4 harassment to enable the District to monitor, address, and prevent repetitive harassing behavior in district schools. (cf. 3580 - District Records)

## From Lompoc Unified School District Administrative Regulation 5145.7 – Sexual Harassment

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

Assistant Superintendent, Student Services & Special Education

1301 N. A Street  
Lompoc, CA 93436  
(805) 742-3250

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

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress.
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student.
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment.
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any district program or activity. (cf. 5131 - Conduct) (cf. 5131.2 - Bullying) (cf. 5137 - Positive School Climate) (cf. 5145.3 - Nondiscrimination/Harassment) (cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

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

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

## Reporting Process and Complaint Investigation and Resolution

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

In any case of sexual harassment involving the principal, compliance officer, or any other person to whom the incident would ordinarily be reported or filed, the report may instead be submitted the Superintendent or designee. (cf. 5141.4 - Child Abuse Prevention and Reporting)

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

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

#### Confidentiality

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

However, when a complainant or victim of sexual harassment notifies the District of the harassment but requests confidentiality, the compliance officer shall inform him/her that the request may limit the District's ability to investigate the harassment or take other necessary action. When honoring a request for confidentiality, the District will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request. When a complainant or victim of sexual harassment notifies the District of the harassment but requests that the District not pursue an investigation, the District will determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students. (cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information) (cf. 5125 - Student Records)

#### Response Pending Investigation

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

#### Notifications

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

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917) (cf. 5145.6 - Parental Notifications)
2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5) A copy of the District's sexual harassment policy and regulation shall be posted on district and school web sites and, when available, on district-supported social media. (cf. 1113 - District and School Web Sites)
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session (Education Code 231.5)
4. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
5. Be included in the student handbook
6. Be provided to employees and employee organizations

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

School	Dress	Guidelines
		<ul style="list-style-type: none"><li>• Shoes should cover the entire foot and be appropriate for learning.</li><li>• Pants should fit in the waist (no sagging or undergarments showing) as well as pants length with no belts or chains hanging from the waist or pockets. Pants with holes or tears above the knee must not expose skin.</li><li>• Shorts/skirts should be long enough to meet the student's fingertips of a hand held down at the side.</li><li>• Tops and shirts should cover the midriff and underwear.</li></ul>

- Tops and shirts should not be sheer or have thin straps (less than 1").
- Makeup or eye/face glitter should not be worn or carried to school.
- Any printed clothing should be free from alcohol, gang, tobacco products, profanity, sex, violence, weapons, illegal activities or drug-related references.
- Students are permitted to wear sun-protective clothing when outdoors including hats. However, the privilege to wear hats does not change the rules related to offensive, gang, drug, or alcohol-related logos or words.
- Hats, hoods, visors, or sunglasses are not allowed to be worn indoors.

The dress code may be modified or changed throughout the year by site administration to address current concerns.

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

Describe the procedures for safe passage when students and adults are entering and leaving school grounds. Identify your site’s access points. Describe the utilization of campus supervisors, security personnel, and security equipment.

Include the following information:

Ingress:

The front gates on either right side of the office open at 7:30 am. One staff member is supervising the front entrances while the remaining Student Supervision Aides are on duty in the cafeteria to manage students. If students are not eating breakfast they still enter the cafeteria and wait under adult supervision until 8:00 am to be dismissed to their classrooms. Students line up at their designated classroom lines at 8:00 am. There are a total of four gate entrances. Two on either side of the front office, the kindergarten/preschool gate, and the back gate on North Y St. The back gate on North Y St. opens at 8:00 am. Vehicles drop off students in 3 areas: the parking lot in the area marked by cones on the left side of the drop-off lane adjacent to the sidewalk, curbside at the sidewalk in front of the school, and from 8:00-8:15 am at the back gate on North Y St. Staff is on duty to supervise drivers as they pull into and exit the parking lot, and at the drop off area. There is one staff member that manages the back gate. Duty staff help cross students across entry and exit driveways. Staff are also empowered to instruct parents on safe ways to drop off students in these areas. Students & families are instructed to use the crosswalks and sidewalks when walking and not to cross the parking lot to get to the front gates. A supervision aide serves as the crossing guard to help people safely cross the street. The Lompoc police occasionally drive by campus before arrival times to help ensure parents are obeying traffic laws such as staying within the speed limit and not double parking to drop off students.

Egress:

Staff walk students to one of the three front gates at dismissal. Teachers excuse students who are exiting the back gate as they walk their students to the front of the school. There is a teacher supervising the back gate at dismissal. Vehicles pick up students in 3 areas: the parking lot in the area marked by cones on the left side of the drop-off/pick-up lane adjacent to the sidewalk, curbside at the sidewalk in front of the school, and at the back gate on North Y St. Staff is on duty to supervise drivers as they pull into and leave the parking lot. There is one staff member that manages the back gate. Duty staff help cross students across entry and exit driveways. Staff is also empowered to instruct parents on safe ways to pick up students in these areas. Students & families are instructed to use the crosswalks and sidewalks when walking. A supervision aide serves as the crossing guard to help people safely cross the street. The Lompoc police occasionally drive by campus at dismissal times to help ensure parents are obeying traffic laws such as staying within the speed limit and not double parking to pick up students.

LUSD employees wear district badges

Drills are held to familiarize staff/students with emergency exit routes and procedures.

Emergency drills are held monthly. Drill schedules for the year are created.

Gate procedures: Gates are checked regularly by custodial & administrative staff to secure the campus.

Traffic Routes: Traffic routes on campus are communicated to parents through Parent Square and in presentations to parents.

Elementary schools: In the event of a major emergency Parent Square messages using phone calls, text, or email will be delivered to notify parents where they may pick up their student(s).

Elementary schools: Students are signed out upon confirmation of parent/guardian photo ID.

LUSD Board Policy and Administrative Regulation 1250 outlines the procedures for visitors and outsiders on campus.

Elementary schools: Classroom visitation procedures are included in the Parent Handbook. All visitors sign in at the office and provide a photo ID to be registered in the site Raptor system. A visitor's badge is issued and worn by all visitors on campus. When visitors depart, they are required to stop by the office and sign out. They enter and exit through the gate next to the office door. School visitors may not disrupt the educational process at the school. This policy is for the entire school day, including lunch time, and for all areas of campus, including all buildings and outside play areas.

Supervision of Students: Teachers and Student Supervisors are assigned supervision duty before school, after school, and during (recess or passing) periods.

Extra support staff and their duties are assigned by the principal.

Accommodations are provided for students with disabilities in accordance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. SEC 12101 et seq.) for disaster procedures, routine, and emergency.

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

### **Component:**

People & Programs

### **Element:**

Schoolwide PBIS implementation to ensure high behavior and academic expectations for all students in a safe and orderly environment.

Schoolwide SEL implementation to ensure caring and supportive relationships including students-to-students, students-to-staff, staff-to-staff, and staff-to-students.

### **Opportunity for Improvement:**

1. Improvements are needed in student perceptions of the learning environment to improve behavior and attendance.
2. Build supportive, caring relationships between students through consistent SEL practices and Second Step SEL lessons.
3. Improve parent involvement

Objectives	Action Steps	Resources	Lead Person	Evaluation
Objective #1 Related Activities PBIS Tier 1	Continue to develop teacher knowledge of PBIS and trauma-informed teaching practices. Develop positive student self-concept activities. Work with the PBIS teams to ensure PBIS practices are implemented with fidelity.	Staff meeting discussions and behavior data shared in weekly bulletins.	Lynette Martin	<ul style="list-style-type: none"> <li>Increased perception of student-to-student and student-to-staff respect, as well as student engagement</li> <li>PBIS data.</li> </ul>
Objective #2 Related Activities PBIS Tier 2	Continue with using behavior referral data to intervene when necessary with Tier 2 supports.	Behavior Academies, Check-in/check-out	Lynette Martin	-Weekly evaluation of teacher managed behavior referral data and results of behavior academies
Objective #3 Related Activities Increase Student Attendance	Share attendance data regularly with staff. Provide incentives to recognize classes and students with good and improved attendance. Home visits and personal phone calls for the After-School Meeting in the L.A.M.P. process.	Tiger Bucks to Primary and Upper-grade classes with the best attendance and recognition certificates to students who have the best attendance. Additional informational flyers regarding the importance of attendance included in the first day packet and again at Fall Conferences . L.U.S.D. Attendance Banner in front of school.	Victor Velazquez, Lynette Martin	-Weekly evaluation of average daily attendance percentage data
Objective #4 Related Activities SEL Implementation	Staff training on SEL practices at staff meetings. Second Step SEL lessons are delivered with fidelity.	Victor Rios' "From Risk to Promise", Second Step Curriculum	Victor Velazquez, Brittany Slagle	-Behavior Data and Second Step completion data
Objective # 5 Related Activities Increase Parent Engagement	Offer several parent presentations to educate parents on how to support their child's academic success and after-school activities that parents and students attend for enjoyment	Parent University classes, Fall Carnival, SmartGen Social Media presentation, Movie Night, PIQE STEM Parent classes, Literacy Night, Math Night	Victor Velazquez with other staff members and organizations	-Evaluation of number of parents attending school events

**Component:**

Physical Environment

**Element:**

Safe, clean, and well cared for environment for students

**Opportunity for Improvement:**

1. Increase student awareness and pride on our campus
2. Improve and beautify our campus

Objectives	Action Steps	Resources	Lead Person	Evaluation
Objective #1 Related Activities Promote student awareness and respect for campus	Promote safe, respectful, and responsible behavior campus-wide through PBIS Tier 1 education.	PBIS program, Wednesday Morning Assemblies	Victor Velazquez, Lynette Martin	<ul style="list-style-type: none"> <li>• Reduction in incidents of property misuse and vandalism</li> </ul>
Objective #2 Related Activities Beautify campus	Engage classrooms, Student Council, and the community in creating and implementing projects for students to be involved in campus beautification such as murals and gardens.	Student Council, Donations from outside organizations	Lynette Martin	<ul style="list-style-type: none"> <li>• Increased positive community and parent involvement</li> <li>• Improved campus appearance with painting, grounds maintenance</li> </ul>
Objective #3 Related Activities Maintain and upgrade campus grounds and facilities	Repairing and/or replacing facilities and equipment such as benches and fences	Maintenance & Operations	Victor Velazquez	-Reduced safety concerns and work orders

**Component:**

**Element:**

**Opportunity for Improvement:**

Objectives	Action Steps	Resources	Lead Person	Evaluation

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

### **Clarence Ruth Elementary School Student Conduct Code**

The schoolwide behavior expectations for all Clarence Ruth students are to ROAR - Respectful Actions, Only Safe Behaviors, Always Do Your Best, and Responsible Choices. Positive Behavior Interventions and Supports (PBIS) are implemented schoolwide and in the classroom. The behavior expectations of ROAR are posted in each classroom and a description of what it looks like. The schoolwide behavior expectation matrix of ROAR is posted in key areas of the campus. Detailed descriptions of the expected behaviors are displayed on signs in designated areas. Skills to meet the behavior expectations are taught at schoolwide assemblies and in the classroom by the teacher.

### **Conduct Code Procedures**

Teacher-managed behaviors such as inappropriate language, defiance/insubordination, disrespect, physical contact, etc. are addressed by first reteaching/educating students on expected behaviors by the staff member and parents are contacted. There is a school behavioral flowchart to ensure equitable behavior response to aid teachers in addressing the behavior. If there is another behavior, students complete a reflection form, and parents are contacted. On the third behavior, students engage in a restorative conversation, and parents are contacted. If there are three behaviors within a 30-day period, then students are elevated to Tier 2 status in the PBIS system. The PBIS Tier 2 team meets weekly and will determine how to best support students at promise. Tier 2 interventions to be considered include Check-in/Check-out (CICO) and an appropriate academy taught by the school site Social Emotional (SEL) Counselor.

Serious behavior infractions are managed by the school site administration. Examples of serious behavior concerns include abusive/inappropriate language, fighting, harassment/intimidation, theft, possession of a weapon, etc. School site administration will conference with student(s) and stakeholders, consider alternative consequences, document and monitor the alternative discipline, and keep in communication with parents/guardians.

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

The Governing Board is committed to providing a safe learning environment that protects students from discrimination, harassment, intimidation, bullying, and other behavior motivated by a person's hostility towards another person's real or perceived ethnicity, national origin, immigrant status, sex, gender, sexual orientation, religious belief, age, disability, or any other physical or cultural characteristic. The Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents if they occur.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. Such collaborative efforts shall focus on ensuring an efficient use of district and community resources, developing effective prevention strategies and response plans, providing assistance to students affected by hate-motivated behavior, and/or educating students who have perpetrated hate-motivated acts.

The District shall provide students with age-appropriate instruction that includes the development of social-emotional learning, promotes their understanding of and respect for human rights, diversity, and acceptance in a multicultural society, and provides strategies to manage conflicts constructively.

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

The Superintendent or designee shall ensure that the rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident are provided to students and parents/guardians.

The Superintendent or designee shall provide staff with training on recognizing and preventing hate-motivated behavior and on effectively enforcing rules for appropriate student conduct.

### **Complaint Process**

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



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

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

LUSD Board Policy 5145.9

### **Procedures for Preventing Acts of Bullying and Cyber-bullying**

#### **(K) Procedures for Preventing Acts of Bullying and Cyber-Bullying**

The Board of Education 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 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. 142.94 - 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 (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.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3 - Uniform Complaint Procedures. (cf. 1312.3 - Uniform Complaint Procedures)

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)

LUSD Board Policy 5131.2

#### District

Bullying and Cyber Bullying Assessment Flow Chart\*

(School personnel will use this flow chart when responding to a report of bullying.)

Interview all students involved in the incident.

1. Gather the facts, i.e. who, what, when, where, why?
2. Interview witnesses.
3. Did the alleged bullying involve electronic equipment or any social media sites?
4. Were any messages sent or received?
5. Did either student do anything that might have contributed to this happening?

Was this possibly a crime?

Was there electronic communication, physical contact, injury, use of a weapon, serious threat of injury, stalking, kidnapping, detainment, loss or damage to property?

If yes:

Contact the police.

Notify parents as appropriate.

Was there aggression?

Was there physical aggression such as hitting, shoving or threatening injury; verbal aggression such as teasing, name-calling or spreading rumors?

If no:

Not Bullying

Consider another infraction.

Was there dominance?

Was the aggressor stronger or dominant over the other? Was one side outnumbered?

If no:

Not Bullying

Could be a fight or some other infraction.

Was there persistence

Was there more than one incident or did the aggressor fail to stop when asked?

If no:

Not Bullying

Consider another infraction. Would be bullying if behavior continues.

Response to bullying.

1. Discipline aggressor for bullying, based on the seriousness and persistence of the behavior.
2. Educate and counsel all students, including bystanders, about bullying.
3. Encourage the aggressor to apologize and promise not to do it again.
4. Ask all students, "What could you do that would keep this from happening again?"
5. Ask all students, "Would you let me know if anything like this happens again?"
6. Monitor and follow-up to make sure that bullying does not recur.

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

The Clarence Ruth Elementary School comprehensive safety plan will be reviewed, evaluated and amended (if necessary) annually of each school year.

Pursuant to Education Code 32286 and 32288, Lompoc Unified School District adopts the Clarence Ruth Elementary School comprehensive safety plan annually at their regular meeting of the Board of Education by March 1st.

An updated copy of the comprehensive safety plan is available for public inspection in the school office.

**Safety Plan Appendices**

**Emergency Contact Numbers**

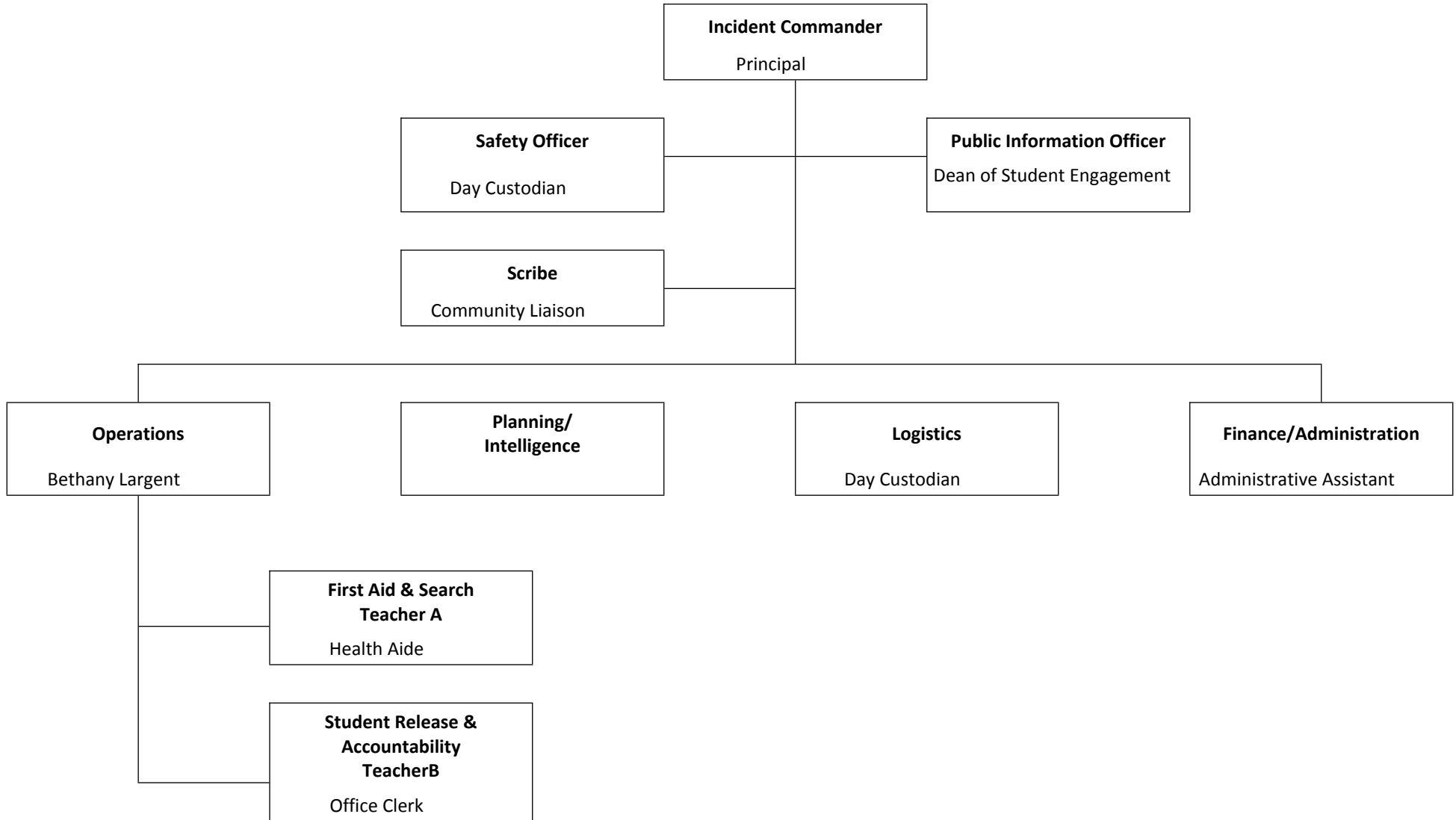
**Utilities, Responders and Communication Resources**

<b>Type</b>	<b>Vendor</b>	<b>Number</b>	<b>Comments</b>
Law Enforcement/Fire/Paramedic	EMS	911	Emergency Services
City Services	City of Lompoc	805-736-2341	Law Enforcement - Non Emergency
City Services	Santa Barbara County	805-737-7737	
Other	Vandenberg AFB	805-606-3911	
Law Enforcement/Fire/Paramedic	City of Lompoc	805-736-4513	Fire Services - Non Emergency
Law Enforcement/Fire/Paramedic	Santa Barbara County	805-737-7742	Fire Services - Non Emergency
Law Enforcement/Fire/Paramedic	Vandenberg AFB	805-606-5380	Fire Services - Non Emergency
School District	LUSD District Office	805-742-3300	School District Main Office Line
School District	Business Office	805-742-3200	
School District	Pupil Support	805-742-3310	

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

<b>Activity Description</b> (i.e. review steps, meetings conducted, approvals, etc)	<b>Date and Time</b>	<b>Attached Document</b> (description and location)
Clarence Ruth Safety Committee Meeting	November 8, 2023	
Leadership Team Meeting		
English Language Acquisition Committee	November 8, 2023	
School Site Council Meeting	November 9, 2023	

**Clarence Ruth Elementary School Incident Command System**





## **Incident Command Team Responsibilities**

### **Standardized Emergency Response Management System Overview**

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

#### **Management**

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

#### **Planning & Intelligence**

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

#### **Operations**

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

#### **Logistics**

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

#### **Finance & Administration**

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

## **Emergency Response Guidelines**

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

School administrators, teachers and other staff will, at some time, be forced to deal with different types of potential or actual crises or emergencies. The following sections describe the most probable situations, with specific response action directions included for each emergency type. The Emergency Response Plan provided in this report is in alignment with the Emergency Management Guide, a spiral bound publication located in every classroom.

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

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

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

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

### **Aircraft Crash**

### **Animal Disturbance**

### **Armed Assault on Campus**

#### **Active Shooter Event**

When an active shooter is in your vicinity, you must be prepared both mentally and physically to deal with the situation. An active shooter is an individual actively engaged in killing or attempting to kill people in a confined and populated area, typically with the use of firearms. No single response fits all active shooter situations; however, making sure each individual knows his or her options for response and can react decisively will save valuable time. Depicting scenarios, considering response options and conducting active shooter drills in advance will assist individuals and groups in quickly selecting their best course of action.

August 2019 LUSD hosted and participated in a multiple day training event by the ALICE Training Institute. ALICE refers to ALERT, LOCKDOWN, INFORM, COUNTER and EVACUATE. These concepts are incorporated in the procedures below.

#### **Discovering Party**

1. Call 911. Notify an Administrator or Office. If there is an immediate threat of danger and unable to reach the Office or Administrator, call 911. Provide the following information if known:

- a. Location of the active shooter;
- b. Number of shooters;
- c. Physical description of shooters;
- d. Number and type of weapons shooter has;
- e. Number of potential victims at location.

2. Local Law Enforcement may contact the school and request the school to implement Active Shooter Event.

#### **Administrators**

1. Call 911 if the incident is not originating from law enforcement. Do not assume others have called 911;
2. Notify teachers and staff of an Active Shooter Event;
3. Notify the District Office;
4. Keep telephone lines open for emergency-related use;
5. School site will send out a message on the parent communication system. In the event the school site is unable to send out the message, personnel at the District Office will send out the message.

#### **Teachers and students**

1. Classrooms on the playground or outdoors implement Run, Hide, Fight (Counter)
2. Teachers instruct student to hide behind barriers or implement Run, Hide, Fight (Counter)
3. RUN - Run away from the threat if it is a safe option.
  - a. Have an escape route and plan in mind.
  - b. Leave your belongings behind
  - c. Evacuate regardless of whether others agree to follow
  - d. Help others escape, if possible
  - e. Do not attempt to move the wounded
  - f. Prevent others from entering an area where the active shooter may be
  - g. Keep your hands visible at all times especially in the presence of Law Enforcement
  - h. Use non-traditional exits if necessary.
  - i. Call 911 when you are safe
4. HIDE - If Run is not an option, hide in an area out of the shooter's view
  - a. Lock door or block entry to your hiding place
  - b. Barricade the doors with heavy furniture
  - c. Close and lock windows and close blinds or cover windows
  - d. Attempt to find a location that provides protection from bullets or hide along the wall closest to the exit but out of view from the entrance (allowing for an ambush of the shooter and for possible escape if the shooter enters the room)
  - e. Silence your cell phone (including vibrate mode) and remain quiet
  - f. Do not open the door to anyone until a known staff member or police officer comes into to your classroom by a key and gives the "all clear."

5. COUNTER – As a last resort or when your life is in imminent danger.
  - a. Attempt to incapacitate the shooter.
  - b. Throw objects or items at the active shooter such as chairs, fire extinguisher, etc.
  - c. Make noise attempt to distract the shooter

When law enforcement arrives:

1. Remain calm and follow instructions.
2. Drop items in your hands
3. Raise hands and spread fingers
4. Keep hands visible at all times
5. Avoid quick movements toward officers, such as holding onto them for safety
6. Avoid pointing, screaming or yelling
7. Do not ask questions when evacuating

## **Biological or Chemical Release**

### **Lockdown**

Lockdown procedures are an emergency protocol that prevents staff and students from leaving an area. Lockdowns can be initiated due to activity occurring on campus or away from the campus. Lockdowns can be used to protect staff and students by sheltering them in place or for public safety agencies to attend to an incident occurring in the area without endangering or interference from the public. Lockdowns can be a safer approach than evacuating students into a potentially contaminated outdoor environment. Sometimes a lockdown is referred to as shelter-in-place.

Examples of when lockdown would be appropriate:

1. Law enforcement activity in the area
  2. Medical emergency in the area or on campus
  3. Dangerous animal on campus or in the vicinity
  4. Fire in the vicinity
  5. Toxic Situation nearby
  6. Intruder on campus or an active shooter event
- For an active shooter refer to Active Shooter Event and for an anti-violence/intruder alert refer to Intruder Alert/Anti-Violence Response for more incident specific procedures.

### **General**

1. An announcement will be made for the need to “lockdown.”
2. All students need to proceed to their classroom immediately. Students that are outside of the classroom or on the playground should be taken to the nearest room until the end of the lockdown.
3. Teachers quickly scan for students walking in the hallway.
4. Remain calm, lock all doors and close window blinds.
5. If it is announced that the lockdown is due to a toxic situation, turn off air conditioners and/or heat.
6. Take roll and prepare a list of missing students.
7. Call the office with attendance information.
8. If there are problems, place the “NEED HELP” of the Emergency Management Guide in the window.
9. Emergency bathroom visits must be first cleared with the office.
10. Specific directions pertaining to the Lockdown will be given as Administration receives up-to-date information.
11. If the situation escalates to an intruder alert/anti-violence or active shooter event refer to Intruder Alert/Anti-Violence Response or Active Shooter Event for those specific procedures.
12. If evacuation is directed follow Evacuation procedures.

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

### **Bomb Threat/Threat of Violence**

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

All threats must be taken seriously.

1. Notify principal/administrator and call 911..

2. Notify the District Office.

3. DO NOT EVACUATE until the situation is assessed by law enforcement authorities. You will be notified of possible responses depending on the location of the threat. Possible responses are:

§ Evacuation (refer to Evacuation/Fire Drill procedures)

§ Safe Schools Mode/Lockdown (refer to Lockdown procedures)

4. Be aware of any suspicious items in the classroom and, when practical, notify law enforcement and/or administration.

5. Do not hang up the phone, even if the call has been disconnected.

6. Students are not to leave campus unless checked out by parent/guardian or a responsible adult listed on student information card. Be sure to make a note of this on class emergency roster.

ACTIVITIES THAT MAY SET OFF THE BOMB:

v Use of two-way radios.

v Cell phone transmissions.

v Turning on or off electricity, i.e. lights.

v Sounding the fire alarm.

Additional information regarding Bomb Threat/Threat of Violence:

A. Bomb threats are usually received by an anonymous telephone call. Bomb threats are serious until proven otherwise. Obtain information using the checklist on the reverse of this sheet

B. Bomb threats may arrive as a letter or handwritten note, email message, or suspicious package

C. Actions depending how the threat is received:

1. Recipient of the threatening telephone call

a. Remain calm. Keep the caller on the line as long as possible. Do not hang up, even if the caller does.

b. Listen carefully. Be polite and show interest.

c. Notify a coworker via note or hand signals or if in a classroom, contact the office immediately.

d. Write down as much detail as you can remembered. Try to use exact words.

e. If the telephone has a display, copy the number and/or letters on the display window.

f. Attempt to get information on location of bomb, and any identification characteristics of caller. Have them repeat the message

g. Immediately upon termination of the call, do not hang up, but from a different telephone, call 9-1-1.

2. If a bomb threat is received by letter or handwritten note:

a. Handle the letter or note as minimally as possible.

b. Notify the office or call (access code) 9-1-1

3. If a bomb threat is received by email :

a. Do not delete the email message.

b. Notify the office or call 9-1-1

4. Bomb or Suspicious Device

a. Do not touch or approach the device

b. Notify the office immediately

c. Get students out of the immediate areas and wait for directions from the office.

d. Follow principal's or designee's instructions for appropriate emergency procedures

## **Bus Disaster**

### **Disorderly Conduct**

(D) Procedures to Notify Teachers of Dangerous Pupils

The LUSD Student Management Information System (Q) alerts staff of their students that have violated the 48900 or 48915 policy code. The teacher has this information on the attendance screen for their class in Q. The attendance module displays an icon to the left of the student name that indicates suspension data exists for the student. The teacher is able to view the policy violation and notes from the incident. Teachers are informed that such information is to be kept in strictest confidence and is to disseminate no further.

Notifications are received from the Superior Court of California to the Superintendent of Schools pursuant to Welfare and Intuitions Code Section 827(b)(2). The notification is forwarded to the registrar or office of the student's school site of enrollment.

From California Education Code Section 49079

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

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

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

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

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

(Amended by Stats 2000, Ch. 345, Sec. 2) Reference:

Education Code 48900

Education Code 48900.2

Education Code 48900.3

Education Code 48900.4

Education Code 48900.7

## **Earthquake**

### Earthquake

#### Indoors

Announce and implement DUCK, COVER and HOLD.

1. Get under nearest desk or table away from windows and objects that could fall. Crouch down facing the center of the room, clasp hand behind neck, close eyes and hold table leg while in the duck and cover position. Remain in this position until signal to evacuate is given.
2. Try to avoid glass and falling objects, areas where there are large panels of glass and/or heavy suspended light fixtures.
3. Implement Evacuation when shaking has stopped or tremors have subsided.
4. Announce that no student is to return to the room unless directed to do so.
5. Take roll of students

#### Outdoors

Announce and implement DUCK, COVER and HOLD

1. Move away from buildings, playground equipment, utility poles, signs, trees, metal fences, exposed wires and wet areas.
2. Stay low to the ground.
3. Implement Evacuation when shaking has stopped or tremors have subsided. Staff will take students to pre-arranged places on campus, adjust as necessary.
4. Take roll of students

#### General

Be prepared for immediate aftershocks and ground motion.

When leaving the classroom if safety permits, teachers should make every effort to take with them the student rosters and emergency supplies.

Whenever possible disaster supplies should be kept in a locked shed away from the school buildings and accessible once all personnel and students are safely accounted and secured in the evacuation area.

If possible, notify incident commander of any breaks or suspected breaks in service.

Do not light any fires after the earthquake of possible gas leaks.

The principal or designee will determine the advisability or necessity of releasing students.

Lompoc Unified School District participates in the Great ShakeOut Earthquake Drills annually.

## **Explosion or Risk Of Explosion**

## **Fire in Surrounding Area**

### Fire Procedures

#### General

Upon the discovery of a fire, any staff member will call 911 to report a fire. Be prepared to give specific information such as name, address of school or facility. If safe to do so, call the office and inform them of a fire.

If the fire is small, notify 911 and use the nearest fire extinguisher to control the fire. All classrooms are equipped with fire extinguishers.

The School Administrator will communicate with the District Office. If off-site evacuation is necessary, Administrators will notify Transportation.

If the fire is off site, the Administrator or District Office will provide instructions whether an off-site evacuation is necessary. Due to the location of the fire, an alternate site may be necessary.

The fire alarm is sounded (an interrupted signal)

1. If you do not see, hear, or smell an imminent fire threat, shelter in place and follow the instructions for a Lockdown or unless instructed differently through the school's communication system.
2. If you see, hear, or smell an imminent fire threat, evacuate the classroom immediately and notify the school office.
3. In the event of an evacuation, teachers will bring their student rosters, their Emergency Management Guide and proceed to the assigned assembly area.
4. If heavy smoke is present, crawl or stay near floor for breathable air.
5. Attendance will be taken.
6. If all students are present, hold up and display the GREEN "ALL CLEAR" sign located on the back of the Emergency Management Guide.
7. If not all students are present or you need assistance, hold up and display the RED "NEED HELP" sign located on the front of the Emergency Management Guide.
8. Sweep Team member will check rooms and report to the assigned individual or command center.
9. If the danger has passed School Administrators will advise whether classes can return to class.
10. No one is to reenter a building until authorized by the fire department or an administrator.

## **Fire on School Grounds**

### Fire Procedures

#### General

Upon the discovery of a fire, any staff member will call 911 to report a fire. Be prepared to give specific information such as name, address of school or facility. If safe to do so, call the office and inform them of a fire.

If the fire is small, notify 911 and use the nearest fire extinguisher to control the fire. All classrooms are equipped with fire extinguishers.

The School Administrator will communicate with the District Office. If off-site evacuation is necessary, Administrators will notify Transportation.

If the fire is off site, the Administrator or District Office will provide instructions whether an off-site evacuation is necessary. Due to the location of the fire, an alternate site may be necessary.

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8. Sweep Team member will check rooms and report to the assigned individual or command center.
9. If the danger has passed School Administrators will advise whether classes can return to class.



10. No one is to reenter a building until authorized by the fire department or an administrator.

## **Flooding**

### Flooding

This procedure applies whenever storm water or other sources of water inundate or threaten to inundate school grounds or buildings. Flooding on a school site may be caused by heavy rain, failure of a dam, water main break, or tsunami.

The extent of the flood or type of water incident will dictate the course of action to be taken. The administrator may initiate the following emergency actions:

1. Implement Evacuation or
2. Shelter-in-Place, or
3. Off-Site-Evacuation.

### General

In event of an evacuation, teachers will bring student rosters and emergency supplies.

If necessary, instructions will be given to move students to higher ground or an alternate evacuation site warranted by changes in condition.

Remain at the specified location until further instructions.

## **Loss or Failure Of Utilities**

## **Motor Vehicle Crash**

## **Psychological Trauma**

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

## **Tactical Responses to Criminal Incidents**

## **Unlawful Demonstration or Walkout**

### Campus Disturbances

All school staff shall respond to campus disturbances in accordance with the school's safety plan. School safety plans shall describe:

1. The level of emergency and determine the immediate response action, the means which will be used to signal the emergency and maintain communication among staff and with the Superintendent or Superintendent's designee. (Site administration will identify)
2. Specific duties during a disturbance for each staff member.
3. Procedures for ensuring the safety of students and staff.
4. Conditions, as prearranged with law enforcement authorities, under which the principal or designee shall:
  - a. Inform the police.
  - b. Secure police assistance
  - c. Give the police responsibility for a specific crisis situation.
5. Procedures for the orderly dismissal of school when authorized by the principal or designee. During any disturbance in which additional students might become involved while changing classes, the principal or designee may notify all staff that any class currently in session will be extended until further notice. Upon receiving this notification, staff shall ensure that all students in their charge remain in one location under the supervision and shall ask all students who are in the halls to return to their classes immediately.

All media inquiries during crisis situations shall be routed to the Coordinator of Pupil Support Service or designee.

### Prohibited Activities:

1. Disturbing the peace, including, but not limited to, causing or attempting to cause a riot, burning or des      destroying property, fighting, challenging another to fight, or using offensive words likely to provoke a      fight (cf. 3515 - Campus Security)

2. Disrupting school operations, including, but not limited to, exercising free expression which is obscene, libelous or slanderous or so incites students as to create a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations or substantially disrupting the orderly operation of the school (Education Code 48907) (cf. 5145.2 – Freedom of Speech/Expression)

Other examples of activities that may be considered disrupting school operations include, but are not limited to:

- a. Organizing or participating in unauthorized assemblies on school premises
  - b. Participating in sit-ins which deny students or employees normal access to school premises
  - c. Interfering with or unauthorized use of the district’s computer system (cf. 6163.4 – Student Use of Technology)
3. Refusing to disperse, including, but not limited to, assembling for the purpose of causing a disruption and refusing to disperse upon the direction of school personnel
4. Boycotting school, including, but not limited to, participating in any protest that involves nonattendance where attendance is required at school, class, or at a school activity

Any student who participates in a boycott shall be given an unexcused absence and may be classified as truant, regardless of any parent/guardian approval of the absence. (cf. 5113 - Absences and Excuses) (cf. 5113.1 - Truancy) (cf. 5144 - Discipline) (cf. 5144.1 - Suspension and Expulsion/Due Process)

#### Student Demonstrations

Federal and state law allow school districts to establish reasonable rules and regulations for students who wish to exercise their free speech rights on campus during the school day. The District may impose restrictions on the time, place and manner of the speech or activity in order to maintain a safe and orderly educational environment for all students and district employees. Students, who fail to follow the directive of school administrators or teachers, or district policies concerning demonstrations, assemblies, protests or lockouts, may be subject to disciplinary action. If the usual disciplinary action for being truant from school or missing a class is detention, for example, then students who walk out of class to protest may be subject to the same disciplinary sanctions. Stricter punishments or stricter disciplinary action based on the student’s free speech rights would be prohibited and would violate student’s First Amendment rights.

Students who walk out of class during instructional time may be directed by school administrators and teachers that they should return to class, and be advised that they risk disciplinary action if they fail to return to class or if they leave the campus during instructional time. No physical effort should be made to prevent students from leaving the campus.

Students who fail to follow the direction of school administrators or teachers would be in violation of Education Code § 48900(k) (disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties). Under Education Code § 48900.5, suspension for disrupting school activities or willful defiance shall be imposed only when other means of correction fail to bring about proper conduct. Other means of correction may include a conference between school personnel, the pupil’s parents or guardian and the pupil, participation in a restorative justice program, school detention or community service.

In anticipation of student protests, administrators may wish to open lines of communication with faculty, students, parents, the media and the community so that the administrator may:

1. Communicate an awareness and understanding of the issues and concerns prevalent in the school community.
2. Stress a willingness to listen to the concerns of the school community.
3. Work with the District Office for assistance in working with representatives of the news media in preparing outgoing messages to parents.
4. Provide appropriate time, place and manner alternatives to ensure that there will be no disruption to the instructional process.
5. Provide a safe area that can be used for appropriate protests or demonstrations.

The administrator may wish to enlist the support of district administration to develop and implement solutions to problems, address concerns, and explore viable alternatives that will not disrupt the instructional process. The principal may wish to provide opportunities for students to dialog and engage in activities such as classroom discussions, small group discussions with clubs or campus organizations, informational assemblies with adequate supervision, letter-writing campaigns, and structured research projects.

#### Board Policy 5131.4

The Governing Board desires to provide orderly campuses that create a positive school environment and are conducive to learning. When students initiate or are involved in a campus disturbance that has the potential to threaten the safety of students or staff, the Superintendent or designee may request law enforcement assistance.

The Superintendent or designee and the principal of each school shall establish a school disturbance response plan that is intended to curb disruptions which may lead to riots, violence, or vandalism at school or at school-sponsored events. In developing each school's plan, the Superintendent or designee shall consult with local law enforcement authorities to create guidelines for law enforcement support and intervention. (cf. 0450 - Comprehensive Safety Plan) (cf. 3516 - Emergencies and Disaster Preparedness Plan) (cf. 5131.5 - Vandalism, Theft and Graffiti)

Staff are encouraged to be alert to conditions at school that may lead to a disturbance, such as racial or cultural conflict, student protests, or gang intimidation and confrontations. Staff who believe that a disturbance is imminent, or who see a disturbance occurring, shall immediately contact the principal and invoke the school disturbance response plan. (cf. 4131 - Staff Development) (cf. 5136 - Gangs) (cf. 5145.2 - Freedom of Speech/Expression) (cf. 5145.9 - Hate-Motivated Behavior)

Students who participate in a campus disturbance shall be subject to disciplinary action in accordance with Board policy and administrative regulations. (cf. 3515 - Campus Security) (cf. 5144 - Discipline) (cf. 5144.1 - Suspension and Expulsion/Due Process) (cf. 5144.2 - Suspension and Expulsion: Due Process (Students with Disabilities))

LUSD Board Policy BP 5131.4 Student Disturbances

#### Civil Unrest

If a school receives a warning of civil unrest, the principal will immediately notify the District Superintendent or Superintendent Designee by following the communication protocols.

Procedure:

1. When a civil unrest warning is received at the District Office, the District's EOC should be activated.
2. If the civil unrest occurs at a nearby location, students and staff should remain inside. The administrator will identify the level of emergency and determine the immediate response action.
3. Students who are outside should be taken inside as soon as possible.
4. The School Administrator will initiate appropriate immediate response actions, which may include SHELTER-IN-PLACE or LOCKDOWN.
5. The School Administrator will notify the District Office and request assistance and provide the exact location and nature of emergency
6. School security will immediately proceed to the front gate to control student ingress and egress. Depending on the immediate response action, each person entering or leaving the campus shall be required to sign his/her name and record address, telephone number and time entered or departed. Students will not be allowed to leave campus unless they are released to a parent/guardian or adult listed on the student's emergency card or unless Administrator receives notification of all-clear.
7. The principal will follow the pre-established District communication procedures and will then monitor the emergency situation and make decisions about moving groups of students away from areas that might be dangerous.
8. Staff members should keep accurate record of events, conversations and actions.
9. All media inquiries will be referred to the designated school's Public Information Officer.

## Emergency Evacuation Map