



# Riverway Elementary

1341 Glendale, Visalia, CA 93291  
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Heather Jorgensen, Principal  
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## COMPREHENSIVE SCHOOL SAFETY PLAN

2024 – 2025

**PUBLIC REDACTED VERSION**



### Visalia Unified School District

5000 West Cypress Avenue, Visalia, CA 93277  
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### Kirk Shrum, Superintendent

**Ben Dhillon**, Assistant Superintendent - Human Resources Development

**Andy Di Meo**, Assistant Superintendent - Educational Services

**Mark Thompson**, Assistant Superintendent - Learning & Leadership



## Principal's Letter to Parents

The Visalia Unified School District Board of Education has stated that a primary goal of the school district is to ensure positive and safe learning environments. A safe school environment provides the basic atmosphere where learning is maximized. All Visalia Unified School District staff participate in maintaining this safe and positive environment. Each school site has developed a comprehensive safe school plan with the input from parents, staff, students and community agencies such as law enforcement. These plans address key safety improvement needs and are evaluated on a regular basis. They address all aspects of school safety such as the physical facilities and grounds; conduct codes; staffing needs; positive learning approaches and character education.

Each school site and the school district has also developed crisis response plans which provide staff and students with efficient, safe and orderly prepared responses in case of a crisis or disaster occurring at the school(s). The school district has worked closely with the community's emergency response agencies such as law enforcement, fire, hospital and others. School staff have been selected and trained to carry out specific roles in a disaster such as first aid, parent contacts, student release, etc.

In case of a disaster on our school campus, please do not use the telephone to call us, as phone lines will be needed for emergency communications. Parent messages will be sent containing incident information as to where to pick up your children.

Students have the right to a safe campus and learning environment. Prevention of school safety problems is a priority of all school staff, parents and students. The disaster preparedness plans are in place, but hopefully never needed. Each day students come to school to learn, be safe and enjoy the learning environment. Keeping safety in mind, in all we do, makes this possible.

Sincerely,

A handwritten signature in cursive script that reads "Heather Jorgensen".

Heather Jorgensen  
Principal

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# **INTRODUCTION**

## **AUTHORITY**

State law requires that all California public schools develop a comprehensive school safety plan that addresses the safety concerns identified through a systematic planning process in cooperation with local law enforcement agencies, community leaders, parents, students, teachers, administrators, classified staff, and other persons who may be interested in the prevention of campus crime and violence. It is also the intent of the Legislature that all school staff be trained on the comprehensive school safety plan.

This **COMPREHENSIVE SCHOOL SAFETY PLAN** meets the requirements of:

- California Education Code [§ 32280 through § 32289.5](#) (School Safety Plans)
- California Education Code [§ 35295 through § 35297](#) (Earthquake Emergency Procedures)
- California Government Codes [§ 3100](#) and [§ 8607](#) (Disaster Preparedness)
- California Department of Education Comprehensive School Safety Plans best practice considerations and resources for reviewing and approving plans. (<https://www.cde.ca.gov/ls/ss/vp/cssp.asp>)

## **BACKGROUND**

The California Constitution guarantees California children the right to attend public schools that are safe, secure, and peaceful.

The CDE, public school districts, county offices of education (COEs), and schools and their personnel are responsible for creating learning environments that are safe and secure. First responders, community partners, and families play an essential role, as well. Schools must be prepared to respond to emergencies including natural and man-made hazards, and strive to prevent violence and behavior issues that undermine safety and security. CSSPs include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on the school campus and aspects of social, emotional, and physical safety for both youth and adults.

The Governing Board recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and to creating a positive learning environment that includes strategies for violence prevention and high expectations for student conduct, responsible behavior, and respect for others. (Board Policy 0450)

## **OVERVIEW**

This Comprehensive School Safety Plan addresses three major safety facets of **Emergency Preparedness, Emergency Management, and Emergency Response.**

Its primary purpose is to help school officials protect the lives and well-being of students and staff through emergency preparedness planning and the prompt and appropriate response of trained school personnel when a school crisis occurs.

We recognize that emergencies are fluid events and the emergency procedures outlined in this plan may not fit every situation. As such, administrators and staff will remain flexible and be prepared to promptly adapt



their actions as necessary. In a community-wide crisis, such as a major earthquake or flood, local fire and law enforcement personnel may be overwhelmed and unable to immediately respond to the school's request for assistance. This plan assists the school to be self-sufficient for a time and provide extended care and shelter to students and staff, and to members of the immediate community if needed.

## PLAN ORGANIZATION

Effective management of school emergencies requires proper Emergency Preparedness and appropriate Emergency Response.

This plan addresses these elements in the following sections:

- **Section I** provides an overview and introductory information
- **Section II** deals with emergency preparedness. It describes a variety of tasks that must be accomplished in advance to ensure school staff and students are well prepared to handle campus emergencies.
- **Section III** deals with emergency management. It describes emergency Incident Command System organization and defines the roles and responsibilities of the Incident Command Team.
- **Section IV** provides response options for a variety of emergencies, including extended response options and forms.
- **Section V** includes board policy and administrative regulation pertaining to procedures for complying with school safety

## PLAN IMPLEMENTATION

In an emergency, the Emergency Response Plan will be initiated by the District Superintendent, School Principal, or designees, and carried out collectively by District and/or school administration and staff.

As required by **Government Code § 3100**, it is hereby declared that the protection of the health and safety and preservation of the lives and property of the people of the state from the effects of natural, manmade, or war-caused emergencies which result in conditions of disaster or in extreme peril to life, property, and resources is of paramount state importance requiring the responsible efforts of public and private agencies and individual citizens. In furtherance of the exercise of the police power of the state in protection of its citizens and resources, **all public employees are hereby declared to be disaster service workers subject to such disaster service activities as may be assigned to them by their superiors or by law.**

# **I. EMERGENCY PREPAREDNESS**

## **OVERVIEW**

In order to be prepared for, and safely and efficiently mitigate emergencies, these plans have been developed and will continue to be developed to be used for training and appropriate crisis response.

This **Emergency Preparedness** section outlines minimum ongoing preparatory tasks to ensure school administrators, staff, students and parents are prepared for school emergencies.

As this **CRISIS RESPONSE PLAN** is improved and updated, District/school officials will develop and add other required elements to this Emergency Preparedness section as necessary.

### **The Emergency Preparedness activities addressed in this plan include:**

- Hazard Assessments
- Staff Training
- Emergency Safety Drills
- Special Preparedness Exercises
- Staff Personal Preparedness
- Basic Personal Preparedness Guide
- Use of School as Evacuation Center or Shelter
- *Crisis Response Binder*
- “Buddy Teacher” System
- School Safety Information
- District Safety Information
- Curriculum that Emphasizes Prevention and Alternatives to Violence
- Prevention / Intervention Strategies that Promote Drug-Free Schools
- Community Relationship
- Positive School Climate / Safe and Orderly Learning Environment
- Safe Ingress and Egress of Students, Parents, and Employees
- Parent Involvement Strategies

## **HAZARD ASSESSMENTS**

Principals at each school complete a *Building and Site Safety Hazard Checklist* twice each year.

Teachers at each school complete a *Classroom Safety Hazard Checklist* twice each year.

The inspections listed above are typically scheduled in September and January. Following inspections, site safety representatives prepare a *School Hazard Correction Record*, if any deficiencies are found.

### **The simple document:**

1. Briefly describes each significant safety deficiency found
2. Establishes how, when and by whom the deficiency was, or will be, corrected
3. Describes interim protective measures put into place until the deficiency is corrected

A copy of these hazard assessments can be found in the following pages.

## BUILDING AND SITE SAFETY HAZARD CHECKLIST

PRINCIPAL/DESIGNEE:	SCHOOL:	DATE:
---------------------	---------	-------

**PLEASE ANSWER EACH QUESTION: YES, NO or N/A (Not Applicable)**

The submission of this form to the Assistant Superintendent, Personnel affirms the accuracy of all items checked below.

#	SAFETY HAZARD	YES	NO	N/A
1.	Are toxic, corrosive and/or flammable materials stored to withstand falling and breaking?			
2.	Are hazardous materials located in areas that have warning signs?			
3.	Are all appliances secured? (e.g., water heaters, appliances in the break room)			
4.	Are fire extinguishers all charged and secured?			
5.	Is all playground equipment in good repair? (e.g., bark/exposed nails, screws or bolts)			
6.	Are the grounds in good repair? (e.g., no electric wires exposed/gas or natural gas/fencing)			
7.	Are all evacuation routes clear of obstructions? (e.g., no electric wires exposed/gas or natural gas/fencing.			
8.	Are the emergency radios operational?			

### **COMMENTS:**

For all **NO** answers above, please enter the number and a brief explanation of what needs to be corrected/repared.

This section should also be used to report any safety concerns that are not otherwise covered on the form.

## CLASSROOM SAFETY HAZARD CHECKLIST

<b>TEACHER:</b>	<b>ROOM:</b>	<b>DATE:</b>
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**PLEASE ANSWER EACH QUESTION: YES, NO or N/A (Not Applicable)**

The submission of this form to the Assistant Superintendent, Personnel affirms the accuracy of all items checked below

#	SAFETY HAZARD	YES	NO	N/A
1.	Are freestanding cabinets, bookcases and wall shelves four feet (4') or taller secured to a structural support?			
2.	Are heavy objects (higher than heads of standing students or teacher) removed from cabinets and shelves?			
3.	Are wheels on portable (rolling) carts kept locked to prevent movement during an earthquake?			
4.	Are TV/Video/Computer or similar equipment items securely fastened to platforms?			
5.	Are all crafts, labs or similar equipment secured/stored to prevent movement?			
6.	Are paints, cleaning solutions or other liquids/chemicals stored (away from students) to prevent spillage/accidents?			
7.	Are paints, cleaning solutions or other liquids/chemicals properly labeled so they are easy to identify?			
8.	Are objects around doors secured so as not to fall and block egress?			
9.	Are fire extinguishers, first-aid kits and other emergency items in place and up-to-date?			
10.	Are all electrical receptacles and light switch covers in place and in good condition?			
11.	Are the cords on all items plugged into the wall in good condition?			
12.	Is the third prong (ground prong) intact on all three-wire cord plugs?			
13.	Are all electrical cords routed so as to avoid creating a tripping hazard?			
14.	Are all electrical cords routed so as to avoid being crushed or pinched by furniture or other items?			
15.	Is the classroom free of clutter on the ground, tables or other areas?			

### **COMMENTS:**

For all **NO** answers above, please enter the number and a brief explanation of what needs to be corrected/repared.

This section should also be used to report any safety concerns that are not otherwise covered on the form.

## STAFF TRAINING

Training is the most effective way to help ensure a proper response to emergencies. All site staff are oriented to this plan by their site principal and/or designee at the beginning of each school year to help become familiar with these plans.

This training extends out to after school staff (e.g., ProYouth and Elevo) and others employed through TCOE who provide a service to our students outside school hours on our campuses.

In addition to the components in this COMPREHENSIVE SCHOOL SAFETY PLAN, district personnel receive yearly “Active Shooter” training with materials received from Navigate 360 – ALICE Active Shooter Training.

ALICE Active Shooter Training consists of:

- Class/Instruction training
- Practical scenario-based training

## EMERGENCY SAFETY DRILLS

An emergency safety drill is a practice method to help prepare individuals for an actual emergency. It is a mandatory and repetitive practice of basic campus emergencies such as building evacuations (fire drills), earthquake, shelter in place, or lockdowns.

**Emergency Safety Drills are conducted in accordance with State law:**

1. Fire drills shall be conducted at least on a monthly basis for elementary schools, at least four times every school year at the intermediate levels, and not less than twice every school year for secondary schools. ([EC § 32001](#))
  - **The first fire drill** of each school year shall be conducted **within 10 days** of the beginning of classes. ([CA Fire Code 403.4.2](#))
  - Fire drills shall be conducted at **different hours of the day** ([CA Fire Code 403.4.3](#))
2. An earthquake drill will be held at least each quarter for elementary schools and at least once each semester for secondary schools. ([EC § 35297](#))
3. Lockdown/Active Shooter drills will be conducted at least once a year for both elementary and secondary schools.

## SPECIAL PREPAREDNESS EXERCISES

“Exercises” are defined as pre-planned events that may involve staff, students, parents and/or emergency first responders.

Exercises provide training, preparation and assessment. They may be “hands-on” (mock responses to a simulated emergency). They may be in a “table-top” format (staff and emergency response representatives are given hypothetical problems to solve in a group discussion setting).

All exercises are planned in advance. District administrators work with experts from fire, law enforcement, ambulance or other emergency response agencies to develop and conduct exercises.

## STAFF PERSONAL PREPAREDNESS

School personnel may be required to remain at work for extended periods of time during a crisis.

In a community-wide disaster, staff may be unable to travel home. We encourage all to do emergency preparedness planning for their home, vehicle and work. The following *Basic Personal Preparedness Guide* can help staff become prepared.

## BASIC PERSONAL PREPAREDNESS GUIDE

### HOME PREPAREDNESS:

An employee's personal preparedness at home is essential and includes planning, training, assessing home safety and obtaining emergency supplies and equipment.

#### Planning:

- At least once a year, have a meeting with family members or housemates to design and/or update a plan for how each person will respond during an emergency.
- Sketch a floor plan of your home, showing the location of exits (windows and doors), utility cutoffs, first aid kits, emergency supplies, tools, clothing, etc.
- Make sure each person is familiar with the plan.
- Identify a nearby meeting location (tree, mailbox, etc.) in case the house has to be evacuated suddenly. Also discuss alternate reunion locations and strategies if a disaster were to strike while you or others were away from home.
- Become familiar with the disaster policies and plans at your children's schools and your spouse's or housemate(s) workplace.
- Make/update a list of key addresses and phone numbers and ensure each family member has a copy.

#### Training:

- Make sure each person knows and practices ways of protecting themselves from falling objects, smoke, fire, caustic fumes, etc.
- Make sure each person practices, and is capable of, escaping their sleeping area. It is especially important to practice escaping out windows, if that is the plan.
- Make sure that each person knows and practices how to shut off utilities, and that any required tools are readily accessible.

#### Home Safety:

- Secure items that could fall and cause damage or injury during a disaster, such as the water heater, refrigerator, book shelves, and other tall and heavy furniture.
- If necessary, change the placement of furniture and household items to make the home environment safer. For example, don't place beds under windows or heavy objects over beds; keep exit routes clear; move heavy items to lower shelves or drawers; and remove or isolate flammable materials.
- Install clips, latches, or other locking devices on cabinet doors.
- Provide strong support and flexible connections on gas appliances.
- Make sure that everyone has a flashlight and sturdy shoes near the bed.

### **Emergency Supplies and Equipment:**

- It is recommended that your home be equipped with the emergency supplies and equipment listed below. Store items in a place that will be accessible even if there should be structural damage to the home (e.g., in garage near the door, in secure outside storage cabinet, etc.):
  - Bottled Water (two quarts to 1 gallon per person per day)
  - Food (canned or dehydrated, with current expiration dates)
  - Utensils (knives and forks, can opener, pots, etc.)
  - Paper Plates and Towels
  - First Aid Kit (with instructions)
  - Feminine hygiene
  - Blankets or Sleeping Bags
  - Portable Radio (with spare batteries)
  - Critical Medication and Glasses
  - Fire Extinguisher (dry chemical)
  - Flashlight (with spare batteries and bulb)
  - Watch or Clock (battery or spring wound)
  - Sanitation Supplies (soap, plastic bags, tissues, waste containers, etc.)
  - Adjustable-end Wrench (for turning off gas)
  - Other Tools (ax, hammer, screw driver, pliers, shovel)
  - Rope and Plastic Tape
  - Gloves
  - Candles and Matches

### **VEHICLE PREPAREDNESS:**

It is recommended that your automobile be equipped with these emergency supplies and equipment:

- First aid supplies
- Food and water
- Flashlights and extra batteries; Battery-powered radios and extra batteries
- Fire extinguisher
- Space blankets, heavy duty plastic bags, or regular blankets
- Sanitation supplies
- Useful non-prescription drugs
- Road flares, triangle, or flashing beacon
- Tools
- Zip ties
- Jumper cables
- Knife or cutting tool

### **WORK PREPAREDNESS:**

Besides taking part in training and drills, each employee should take measures to become personally prepared at work:

- Be familiar with the location of nearby exits and alternate evacuation routes.
- Know the location of fire extinguishers and first aid kits.
- Keep a small personal supply of emergency food on hand (e.g., energy bars, nonperishable snack items, etc.) as well as bottled drinking water.

- Arrange nearby file cabinets so that heavier items are in the bottom, to lessen the potential of the cabinets falling over. Always keep cabinets closed and latched when not in use.
- Do not place heavy items on top of cabinets and/or files where they could fall on seated and/or standing employees or students. Be especially careful about what is placed around and above your desk.
- Each employee takes responsibility for securing his/her personal work area; and completes appropriate forms (hazard reports or work orders) as needs arise.
- Do not store boxes, etc., under desks or tables that will interfere with ability to get under desk in an event of an earthquake.
- If you have special dietary and/or medical needs, keep a small supply of required food or medicine in a secure location and advise fellow staff members.

## USE OF SCHOOL AS EVACUATION CENTER OR SHELTER

Under State law (California Emergency Services Act) all public schools are subject to use as mass care and welfare evacuation centers or shelters or for other emergency purposes during a disaster. In the event that any VUSD school site may be needed to be used as an evacuation center or shelter, a District Team will be assembled to assist.

## CRISIS RESPONSE BINDER

Each principal maintains a school *Crisis Response Binder* as outlined below. This Binder shall be kept in a place immediately accessible to emergency response personnel.

### **The *CRISIS RESPONSE BINDER* contains:**

- Campus Maps:
  - Fire Evacuation Routes with Designated Command Post Locations
  - Location of Utility Shut-offs (gas, electrical & water)
  - “Four Corners” Off-Site Evacuation Sites
  - Google Maps Photo of Campus
- Incident Command System Assignments and complete Staff Roster with photos (if possible)
- Daily Student Attendance Roster with photos, including:
  - *Students with Special Needs*
  - *Students with Health Concerns*
- All *Student Release* information (see Student Release Procedures)



## CLASSROOM CRISIS RESPONSE FOLDER

Each teacher maintains a *Classroom Crisis Response Folder* as outlined below. This Folder shall be kept in a place immediately accessible by the front door to be accessed during an emergency.

### The Classroom Crisis Response Folder contains:

- Emergency Action Guide
- Campus Maps:
  - Fire Evacuation Routes with Designated Command Post Locations
  - “Four Corners” Off-Site Evacuation Sites
- Incident Command System
- Teacher’s own class roster
- Buddy Teacher List with class roster
- Student Release Procedures

## “BUDDY TEACHER” SYSTEM

A “Buddy Teacher” system is organized at each school and is updated / reviewed annually.

The “Buddy Teacher” list located under the **Emergency Response** section.

### Below are all the components of the “Buddy Teacher” system:

1. Teachers in adjacent or nearby rooms are assigned as "buddies."
2. Evacuation routes are reviewed.
3. After incident & classroom status check, buddy teachers check with each other to determine: each other's health status, need to assist with injuries, need to stay with injured students, etc. If possible, injured students should not be left alone. Remember, teacher's responsibility is to all students, but in situations which threaten the lives of all, do the greatest good for the greatest number.
4. If necessary, one buddy teacher will evacuate both classrooms. Students should exit without the teacher leading them. Teacher should stay back to check the classroom & close the door (do not lock). If both buddy teachers are available for evacuation, one leads and the other brings up the rear, checking briefly to make sure that both classrooms are empty and closing doors.
5. Once in assembly area, buddy classrooms line up next to each other for student accounting. All teachers are to take accountability using Raptor of all their students present and any other staff or student with them even if they are not in their class.
6. Each **classroom crisis response folder** should contain teacher's class roster as well as buddy classroom roster.
7. In emergency situations which do not involve evacuation, it may be necessary to move all students from one buddy's classroom into the other. One of the teachers is then available for assignments.
8. Be sure that substitute teachers know the emergency procedures as well as who and where their buddy teacher is.

## DISTRICT'S SUSPENSIONS & EXPULSIONS

ELEMENTARY SCHOOLS	21-22		22-23		23-24	
	# of Suspensions	# of Expulsions	# of Suspensions	# of Expulsions	# of Suspensions	# of Expulsions
Annie R. Mitchell	56	1	43	3	31	0
Conyer	66	0	44	0	44	0
Cottonwood Creek	122	0	56	0	57	0
Charter Home School	0	0	0	0	0	0
Crestwood	60	0	33	0	48	0
Crowley	31	1	23	0	61	0
Denton	17	1	8	0	5	0
Elbow Creek	29	0	22	0	19	0
Four Creeks	92	0	51	1	60	0
Global Learning Charter	48	0	35	0	21	0
Golden Oak	39	0	16	0	52	0
Goshen	44	0	26	0	48	0
Highland	66	0	48	0	31	0
Houston	48	0	20	0	41	0
Hurley	14	0	11	1	21	0
Ivanhoe	84	0	47	0	63	2
Linwood	55	1	33	0	18	0
Manuel F. Hernandez	49	0	35	0	57	0
Mineral King	50	1	30	0	45	0
Mountain View	49	1	33	0	35	0
Oak Grove	3	0	0	0	13	0
Pinkham	87	0	62	0	87	0
Riverway	61	0	39	0	95	0
Royal Oaks	38	0	20	0	40	0
Shannon Ranch	34	0	21	0	23	0
Veva Blunt	46	0	22	1	40	0
Washington	24	0	12	0	34	0
Willow Glen	93	0	28	0	49	0

## DISTRICT'S SUSPENSIONS & EXPULSIONS (continued)

MIDDLE SCHOOLS	21-22		22-23		23-24	
	# of Suspensions	# of Expulsions	# of Suspensions	# of Expulsions	# of Suspensions	# of Expulsions
Divisadero	380	6	235	4	275	5
Green Acres	251	5	172	6	214	5
La Joya	297	5	161	8	109	3
Ridgeview	263	6	167	9	205	4
Valley Oak	473	1	183	13	180	9

HIGH SCHOOLS	21-22		22-23		23-24	
	# of Suspensions	# of Expulsions	# of Suspensions	# of Expulsions	# of Suspensions	# of Expulsions
El Diamante	497	9	195	5	94	4
Golden West	725	8	397	15	211	7
Mt. Whitney	323	8	94	3	238	4
Redwood	351	3	142	4	170	8

ALTERNATIVE EDUCATION	21-22		22-23		23-24	
	# of Suspensions	# of Expulsions	# of Suspensions	# of Expulsions	# of Suspensions	# of Expulsions
Creekside Community	81	0	73	0	74	0
Sequoia	285	1	139	7	220	11
Visalia Charter Independent Study	11	0	4	1	3	0
Visalia Technical Early College	76	0	50	0	42	0

## ASSESSMENT ISSUES OR CONCERNS RELATED TO SCHOOL CLIMATE

In the 2020-2021 school year, VUSD established a student forum and leadership committee to address ongoing concerns related to civility, climate, and culture within the district. Since then, the student voice group has expanded to include superintendent advisories from elementary, middle, and high schools. Each month, students have the opportunity to share their perspectives on campus issues, including student connection and engagement, discipline, safety, and counseling services. These students also collaborate closely with district administration, offering input on the district's recently launched strategic plan.

## SCHOOL RECORD OF DISASTER DRILLS

**SCHOOL YEAR** \_\_\_\_\_

(Records are to be kept in Raptor Drill Management. This paper record is optional for your records only.)

School: \_\_\_\_\_

Principal: \_\_\_\_\_

Drill Frequency

Elementary			
Drill Type	Fire	Earthquake	Lockdown/Active Shooter
Frequency	Monthly	1 per quarter	At least 1 per year
Middle School			
Drill Type	Fire	Earthquake	Lockdown/Active Shooter
Frequency	At least 4 per year	1 per semester	At least 1 per year
High School			
Drill Type	Fire	Earthquake	Lockdown/Active Shooter
Frequency	No less than 2 per year	1 per semester	At least 1 per year

[illegible]

# SCHOOL SAFETY PLANNING CHECKLIST

SCHOOL YEAR \_\_\_\_\_

Item	Compliance/Date Y/N	Comments
School Safety Team Developed: <ul style="list-style-type: none"> <li>• Principal or Designee</li> <li>• Classified Employee</li> <li>• Certificated Employee</li> <li>• Parent(s)</li> <li>• Law Enforcement</li> <li>• Others: Nurse, School Psychologist, School Social Worker</li> </ul>		
<ul style="list-style-type: none"> <li>• An Action Plan Has Been Developed</li> <li>• Crisis Plan Developed</li> </ul>		
Review and update CSSP sections by October 31		
Notification of Meeting on Plan Sent to Appropriate Individuals (EC 32288(b)(2)(A-F))		
CSSP introduced to School Site Council (1 <sup>st</sup> read)		
CSSP Approved by School Site Council		

# YEARLY SCHOOL EMERGENCY PREPAREDNESS CHECKLIST

## SCHOOL YEAR \_\_\_\_\_

School: \_\_\_\_\_

Principal: \_\_\_\_\_

Completed Date	Checklist Item
	1. Incident Command System assignments & training completed
	2. Buddy Teacher List updated and distributed to teachers
	3. Principal's Letter to Parents updated/revised for CSSP
	4. School Climate. Safe Ingress. Parent Involvement section updated/revised for CSSP
	5. Classroom Evacuation Maps posted in all rooms
	6. Emergency Action Guide Posted in all rooms
	7. Four Corners Map shared with all staff
	8. Emergency Shut-off locations marked on map
	9. Drill Schedule Set Up
	10. Fire Extinguishers charged annually
	11. Emergency Information for Substitutes set up
	12. Exit lights are checked
	13. Maps with First Aid Supplies Posted
	14. Staff Phone Trees updated
	15. Comprehensive School Safety Plan sections updated by October 31 <sup>st</sup>

## **COMMUNITY RELATIONSHIPS**

### **YOUTH SERVICES OFFICER PROGRAM**

The Visalia Unified School District has teamed with the Visalia Police Department to promote positive relationships with law enforcement through Youth Services Officer Program.

The Visalia Unified School District Board and the City of Visalia share the costs of the Youth Services Officers equally. The Youth Services Officer program serves students in all school campuses. An officer is assigned to each middle and high school while also providing service to the elementary schools. The goal of the program is for the officers to serve as a resource to the school and make a positive effort to interact with students as a role model at the schools. Youth Services Officers work towards building positive relationship with students, staff and community while developing relationships with families. Youth Services Officers utilize intervention, prevention or suppression skills with the students who are involved in criminal activity or are in need of special attention, counseling or enforcement. The Youth Services Officers are not responsible for requests to resolve routine discipline problems involving students.

### **POSITIVE SCHOOL CLIMATE / SAFE AND ORDERLY LEARNING ENVIRONMENT**

At Riverway Elementary School, staff members encourage students daily to implement our PBIS acronym C.A.R.E (Show Compassion, Act Responsibly, Respect Everyone, Encourage Everyone's Best Efforts). Our goal is to see the potential and worth in all students. We will continue with P.B.I.S. Positive Behavior Intervention in order to teach students expectations for behavior in all settings. When students know expectations for behavior the campus is safer. Students who show their C.A.R.E expectations. and demonstrate leadership qualities are rewarded in various ways: notes home (from teacher and/or principal), Otter of the Week Recognition, names entered in the County Character Counts competitions, shout-outs on the all call, positive referrals, C.A.R.E bucks for out C.A.R.E store, postcards and phone calls to reiterate to students that positive behavior counts!

Safety is the key to a positive learning environment. Parents are welcome to volunteer on campus and can do so by going through the district volunteer process. During the school day, all visitors must stop and check-in at the school office to receive a visitor's badge. Volunteers are required to have a TB test and be completely cleared through the district before they can volunteer. When the students are on the school grounds, the bell rings to inform them that it is time to line up. When the bell rings or whistle blows, students stop playing and "freeze", then walk to their classroom. This is to signify that playtime is over and it is time to go back into the classroom. This has been an effective way to reduce injury from students running to line up after the bell. When a student is injured on the playground, students report to the school nurse's office or are brought there with assistance from staff members. In order to have fun while at school, it is important to first provide a safe, positive and orderly environment for all children to succeed.

## **SAFE INGRESS AND EGRESS OF STUDENTS, PARENTS AND EMPLOYEES**

At Riverway Elementary School, our goal is to maintain the safety of our students at all times. Therefore, we have established an arrival/dismissal procedure for our students. It requires everyone to do their part when dropping off and picking up their student. Follow procedures and be a good example for other parents and all students. All students who walk or ride bikes to school are reminded and encouraged to use the crosswalks and driveways. Never run or walk through the main parking lot in front of the school office unless they are walking on the raised part of the parking lot, a teacher is typically on duty to assist with traffic and pedestrian crossing. Students are not allowed to leave campus once they arrive unless a parent/guardian or authorized adult whose name appears on the student's emergency card on file properly checks the student out in the office.

Arrival/Dismissal to school: Students who ride the bus enter the gate in that area and report directly to the cafeteria to either eat breakfast or wait for the 8:00 bell to ring and be dismissed by staff on duty to the playground. Students who walk or are dropped off by a parent/guardian will come through the main gate in front of the school office. If it is before 8:00 in the morning, all children will report to the cafeteria. If it is after 8:00 a.m., children may report directly to their classroom lines.

We ask that you always enter through the front gate of the school before school has begun (closest to the cafeteria). For the safety of your child, they should not be on campus prior to 7:30 because there is NO SUPERVISION. After school, students should be picked up 15 minutes after the bell rings as per district policy. We ask that you do not drop them off on Glendale and have them walk through the parking lot. We ask that parents follow the parking lot procedures for drop-off. That means all parents need to drive slowly and watch for students especially in that area. Only allow students to get out of the car by the loading zone, not the drive through lane which is to the left. That lane should be for driving through to leave the parking lot. Drop off/pick up area goes past the office and your child can walk in front of the office, through the gate to the cafeteria. Please use the parking lot only if you are going to the office and do not park along the red curb as it means no parking. Students who ride the bus at dismissal go to the designated area by the bus gate and wait for school staff to dismiss and load the appropriate bus. We do not always have someone on duty, this requires all of us to work together. We have the parking lot procedures in the Parent/Student handbook which is available on our website. Please follow all procedures as you would anywhere else.

## **PARENT INVOLVEMENT STRATEGIES**

Parents/guardians and teachers/staff members are an essential team that must work together in a child's life. Parents and guardians are welcome at Riverway Elementary School and are strongly encouraged to be present and visible during the school day. Parents can be involved at the school site after they have a TB test on file, been fingerprinted and background checked by: working in their child's classroom, attending and chaperoning field trips, volunteering to work at school events, assisting with fundraisers, book fairs, awards assemblies, assisting with instrumental music, and working on campus to serve on committees such as PTA, School Site Council, ELAC, or one of our Leadership Teams, etc. Parents can be involved at home by: establishing a daily family routine, modeling the value of learning, self-discipline and hard work, expressing high and realistic expectations for student achievement, encouraging student attendance, encouraging children's development and progress in school, modeling daily reading, and by becoming a community resource.



## **II. EMERGENCY MANAGEMENT**

### **INCIDENT COMMAND SYSTEM**

This section of the CRISIS RESPONSE PLAN details the *Incident Command System (ICS)* that the Education Code (and other regulations) requires schools to use for managing emergencies.

It includes an organizational chart for both school and district personnel identifying the responsibilities of each person assigned on the chart.

### **INITIAL CRISIS RESPONSE** **OVERVIEW**

This section outlines the four basic *Initial Response Actions* that staff and students will take in response to most campus emergencies.

This section also includes detailed guidance on dealing with an “Active Shooter” and other IMMINENT THREAT situations. They cover actions staff/students should take when they are in immediate contact with a person shooting a gun, or being confronted by a person wielding another potentially lethal weapon such as a knife or bat. These protocols are the cornerstone of the basic school crisis response.

### **INITIAL RESPONSE ACTIONS**

Regardless of the type of emergency that occurs, the initial response by staff and students will almost always include one or more of these four basic *Initial Response Actions*:

- 1. Imminent Threat / Lock-Down**
- 2. Shelter-in-Place**
- 3. Evacuate**
- 4. Drop and Cover**

When there is a sudden loud noise, or other indication that something bad is happening, it is recommended that staff and students become alert and analyze their surroundings to evaluate their best response to the given threat. The staff member may have to be the one to inform the rest of the campus and *Incident Commander* of the present threat.

Any VUSD employee can initiate an emergency through the **Raptor Alert** app or desktop browser. This empowers all individuals to be able to notify all other staff from the location/site.

Although these four basic initial response actions will suffice for the vast majority of campus emergencies, some emergencies may prompt the *Incident Commander* to follow these with additional emergency procedures. Examples of other potential actions include the total evacuation of staff and students to an off-site location, or the release of students to parents. When it is necessary to implement these other actions, the *Incident Commander* will provide direction in person or by other means as necessary. Recommended additional actions for some specific emergencies are included in **Section IV – Emergency Response**.

# EMERGENCY ACTION GUIDE

The *Emergency Action Guide* provides a simple explanation/response of each of the *Initial Response Actions*.

It identifies the specific sound/signal/announcement heard in the event of an emergency. It also provides staff a quick explanation and response to follow when hearing a specific signal. The *Emergency Action Guide* is posted in all classrooms and offices.

## EXTENDED RESPONSE OPERATIONS

### OVERVIEW

In the early stages of most campus emergencies, the *Incident Commander* and school staff will implement one or more of the four “Initial Response Actions” outlined in this plan. Then, as the scope of the emergency becomes clearer, the Incident Commander may determine it necessary to implement other procedures based on the type of incident faced.

Predefined procedures provide continuity of operations and can greatly assist staff in successfully fulfilling Incident Command System roles. However, they must be reviewed and practiced regularly.

### EMERGENCY RESPONSE PROCEDURES LIST

The following Emergency Procedures are available in the Emergency Response section:

- *Bus Accident*
- *Hazardous Material Release*
- *Severe Weather*
- *Utility Loss / Damage*
- *Bomb Threats*
- *Fire / Explosion / Building Collapse*
- *Basic Medical Emergencies*
- *Pandemic Emergencies*

# Emergency Action Guide

Visalia Unified School District

WHEN YOU HEAR:

"Lockdown"  
"Imminent Threat"  
Shots Fired, or  
Raptor Alert

WHEN YOU HEAR:

"Shelter in Place"  
or  
Raptor Alert

WHEN YOU HEAR:

Fire Alarm  
or  
Raptor Alert

WHEN YOU HEAR/FEEL:

Sudden Shaking  
or  
Raptor Alert

## Lockdown

WHEN AN IMMINENT THREAT IS IN YOUR VICINITY:

Quickly determine the most reasonable way to protect lives. Remember that students should follow the lead of school staff during an active shooter situation.

Remember the ALICE method!

Call 911 when it is safe to do so.

**AWARENESS and COMMUNICATION**

- Situational Awareness
- Alert
- Inform

**RESPONSE OPTIONS**

- Evacuate
- Lockdown
- Counter

**ALICE**

## Shelter in Place

DO THIS...

- Remain in the classroom until further notice
- Close and lock all doors and windows
- Continue classroom instruction as normal
- Await further instructions

## Evacuate

DO THIS...

- Prior to walking out of the building, open door to look and listen for any suspicious activity
- Move students and staff, in an orderly fashion, to an outside area of safety.
- Close doors and turn off lights.
- Follow student and staff accountability protocol (ensure that all students and staff are accounted for).
- Teachers will take attendance rosters, take roll and report missing students
- Wait in designated areas for instructions.

WHEN YOU HEAR:

Announcement or  
Raptor Notification

Return to regular schedule

**Remember to always call**

**911**

**For all emergencies**

Visalia Police Department  
Non-Emergency lines:

559-734-8116 & 559-734-8117

Fire Department (Admin)

559-713-4266

## Drop and Cover

DO THIS...

Inside Classroom:

- Drop to knees, facing away from windows
- get under furniture/equipment
- grasp furniture (table leg, etc.) with hands and hold tightly/cover head
- wait quietly for further instructions.

On school grounds, outside

buildings:

- Stay clear of buildings, power lines, light poles, etc.
- Drop to the ground
- Cover head
- Hold on to stable object if available
- Remain clear of obstacles and wait quietly for further instructions.

## **DISTRICT INCIDENT COMMAND SYSTEM**

## **SCHOOL SITE INCIDENT COMMAND SYSTEM**

# INCIDENT COMMAND SYSTEM ROLE DEFINITIONS & RESPONSIBILITIES

## INCIDENT COMMAND

### *THE “BOSS”*

Responsible for emergency operations, maintains span of control, and delegates diligently

#### **Incident Commander** responsibilities:

- Have clear authority and knowing district policy
- Ensure incident safety
- Establish an Incident Command Post
- Remain at the Command Post
- Set priorities, determine incident objectives, and strategies to be followed
- Deploy ICS members needed to manage the incident
- Approve the incident action plan
- Approve resources requests, use of personnel, etc.
- Authorize information release to the media

#### **Public Information Officer** responsibilities:

- Report directly to the **Incident Commander**
- Be the official spokesperson for the emergency situation
- Determine, according to direction from the IC, any limits on information release
- Develop accurate, accessible, and timely information for use in press/media briefings
- Obtain **Incident Commander’s** approval for news releases
- Conduct periodic media briefings
- Arrange for interviews or briefings
- Monitor and forward media information that may be useful to incident planning
- Work closely with the PIOs from law enforcement, fire, or other responding agencies to ensure consistency and accuracy of information

#### **Liaison Officer** responsibilities:

- Report directly to the **Incident Commander**
- Serve as the point of contact for agency representatives from assisting organizations
- Coordinate the efforts of assisting agencies
- Ensure proper flow of communication between agencies
- Communicate updates with supporting agencies (police, fire, FEMA, Red Cross, City of Visalia, gas company, electric company, or other community agencies)
- Brief **Incident Commander** on activities

#### **Safety Officer** responsibilities:

- Report directly to the **Incident Commander**
- Identify and mitigate hazardous situations
- Ensure that all activities are conducted in as safe a manner as possible
- In the absence of other related groups, take responsibility for critical functions, such as shutting down power or marking known hazards during an emergency
- Stop or modify all unsafe operations
- Ensure that staff use appropriate safety equipment
- Think ahead and anticipate situations and problems before they occur
- Initiate preliminary investigation of accidents within the incident area

# OPERATIONS TEAM

## ***"THE DOERS"***

In charge of the "hands on" response

### **Operations Lead** responsibilities:

- Report to the **Incident Commander**
- Initiate and manage all tactical operations at the incident
- Assure safety of tactical operations
- Develop the operations portion of the Incident Action Plan (IAP)
- Supervise execution of the operations portions of the IAP
- Request additional resources to support operations
- Establish a staging area to hold staff that is available for assignment
- Make or approve expedient changes to the IAP
- Maintain close contact with **Incident Commander**, operations team members, and other agencies involved in the incident

### **Utilities** responsibilities:

- Report directly to the **Operations Lead**
- Check condition of all utilities: gas, water, power
- Shut off or isolate utilities as necessary
- Communicate with Operations Lead
- Acquire assistance from external utility companies when necessary

### **Medical** responsibilities:

- Report directly to the **Operations Lead**
- Obtain all necessary supplies from first aid "caches" for treatment
- Establish scope of emergency; request outside resources
- Provide primary care for any injured persons until responders arrive
- Coordinate efforts with emergency responders
- Identify patients, determine priorities and track their progress
- Stage first aid areas that are safe but accessible for emergency responders
- Ensure student's emergency information / parent consent for treatment accompanies each student transported off site for advanced medical attention

### **Mental Health** responsibilities:

- Report directly to the **Operations Lead**
- Responsible for mental health crisis intervention / related support
- Coordinate with other community health resources
- Stage a student/staff care area to provide support and assistance such as informal counseling if needed

# PLANNING & INTELLIGENCE TEAM

## ***"THE THINKERS"***

Track and document injured, items damaged, and provide mental health services

### **Planning & Intelligence Lead** responsibilities:

- Report directly to the **Incident Commander**
- Provide planning services for the incident
- Assemble and disassemble teams or task forces not assigned to operations as needed
- Collect incident information and resources status information, evaluate it, and process the information for use in developing action plans
- Disseminate information that can be in form of an incident action plan, formal briefing, or map or status board displays
- Conduct/facilitate planning meetings
- Determine need for specialized resources
- Assemble information on alternative strategies
- Develop a plan for demobilization

### **Accountability** responsibilities:

- Report directly to the **Planning & Intelligence Lead**
- Consult with **Operations Lead** and **Planning & Intelligence Lead** regarding any known missing persons obtained from attendance reports submitted
- Act as the check in point of contact for reporting missing staff or students
- Search assigned areas
- Complete a directed sweep of designated campus areas for missing, trapped, or injured staff and students if the situation safely permits
- Assist injured persons to medical first aid
- Maintain records of incidents and persons missing/injured/found

### **Interpreter** responsibilities:

- Report directly to the **Planning & Intelligence Lead**
- Assist with any interpreter needs with the parent community or with communications

### **IT/Surveillance** responsibilities:

- May report to the **Operations Lead, Planning & Intelligence Lead, Logistics Lead, or Finance / Administration Lead**
- Provide tech support for any and all devices used during the incident
- Obtain video surveillance footage when needed to assist with the incident
- Maintain a log of technology equipment issued and to whom to be collected at the end of the incident



## LOGISTICS TEAM

### ***“THE GETTERS”***

Obtain needed resources, including people

#### **Logistics Lead** responsibilities:

- Report directly to the **Incident Commander**
- Provide for all needs such as facilities, transportation, supplies, equipment, fuel, food, etc.
- Provide logistical input to the Incident Commander
- Manage all incident logistics
- Identify anticipated and known services and supports
- Request additional resources (including people) as needed

#### **Food Supplies** responsibilities:

- Report directly to the **Logistics Lead**
- Order, prepare, pick up, deliver, and/or distribute all food items
- Maintain a log of items distributed / to whom (and which were returned)

## FINANCE / ADMINISTRATION TEAM

### ***“THE COLLECTORS”***

Collect data, records, expenses, and provide an official record of the event

#### **Finance / Administration Lead** responsibilities:

- Report directly to the **Incident Commander**
- Manage all financial aspects of an incident
- Responsible for financial tracking/procurement and cost analysis related to the incident
- Provide financial and cost analysis information as requested
- Ensure compensation and claims functions are being addressed relative to the incident
- Determine the need to set up and operate an incident commissary
- Ensure that personnel time records are completed accurately
- Ensure that all obligation documents initiated at the incident are properly prepared and completed

#### **Personnel** responsibilities:

- Report directly to the **Finance / Administration Lead**
- Track the status of all assigned personnel at the incident
- Maintain a status tracking system indicating current location and status of all personnel & resources
- Oversee the check-in of all personnel & resources

#### **Documentation** responsibilities:

- Report directly to the **Finance / Administration Lead**
- Maintain accurate, up to date incident files including incident reports, injury claims, overtime compensation, etc.
- Store all incident related files for legal, analytical, and historical purposes
- Maintain a time log of the incident, noting all major actions

### **III. EMERGENCY RESPONSE**

#### **“IMMINENT THREAT” / “LOCKDOWN”**

Usually used to protect students / staff from a **HUMAN THREAT** from **within the campus**

**“IMMINENT THREAT” / “LOCKDOWN”  
(CONTINUED)**

## **WHEN LAW ENFORCEMENT ARRIVES**

# **SHELTER-IN-PLACE**

WHEN A POSSIBLE THREAT IS IN YOUR VICINITY

## **CLASSROOM EVACUATION**

**CLASSROOM EVACUATION**  
School's "Classroom Evacuation Map"

## **CLASSROOM EVACUATION**

School's "Four Corners" Evacuation Map



## **DROP AND COVER**

Earthquakes generally occur without warning and may cause minor to serious ground shaking, damage to building and injuries. The initial action for any earthquake will be *Drop and Cover*.

## **SCHOOL EVACUATION**

School Evacuation is used to guide the Incident Commander and assigned staff when circumstances require the off-site evacuation and relocation of students / staff to a remote site where students will be accounted for and released to parents or guardians.

## **EMERGENCY EVACUATION / REUNIFICATION**

Depending on the emergency response circumstances, an offsite evacuation may be required. In those circumstances, a coordinated response for reunification is necessary to reunite parents with students. The below criteria is to be considered when conducting parent-student reunification. Initiate the Incident Command System roles and responsibilities.

**EMERGENCY EVACUATION / REUNIFICATION  
(CONTINUED)**

**EMERGENCY EVACUATION / REUNIFICATION  
(CONTINUED)**

## STUDENT SIGN-OUT FORM

(to be used in early student release situations)

*Please Print*

**Student Name:** \_\_\_\_\_

**Student Date of Birth:** \_\_\_\_\_

**Teacher (Period):** \_\_\_\_\_

**Injury Events Only: Nursing Assessment Completed** \_\_\_\_\_

**Person here to pick up Student:**

\_\_\_\_\_  
*(The person must be on emergency card or verbal ok from parent)*

**Time Student Released:** \_\_\_\_\_

**Staff Initials:** \_\_\_\_\_

**White Copy: Request Gate**

**Yellow Copy: Release Gate**

**Pink Copy: To Parent**

## **BUDDY TEACHER LIST**

## **SCHOOL BUS ACCIDENT NOTIFICATION PROCEDURES**



## HAZARDOUS MATERIAL RELEASE

A Hazardous Material (HazMat) release is the discharge/spill of a biological/chemical substance including release of radioactive materials. HazMat incidents most commonly involve liquids, powders, or vapors. On-campus incidents most often occur in school labs or in maintenance areas. Off-campus incidents may involve chemical releases from rail cars, trucks, or industrial sites near campus. They may both pose threats that require prompt action by school officials.

### ON-CAMPUS RELEASE - WITHIN A BUILDING

#### INCIDENT COMMAND STAFF will:

- Initiate a *Classroom Evacuation* of that building only
- If possible exterior doors should be closed (but not locked), and air moving systems shut down
  - If a substantial vapor cloud is present, efforts should be made to evacuate upwind
  - The *Incident Commander* should initiate a *Shelter-In-Place* action for other buildings on campus
- The *Incident Commander* will call 9-1-1 and:
  - Identify the school and location
  - Describe the nature of the emergency (fire, smoke, building collapse, chemical spill, etc.)
  - Describe actions being taken to safeguard staff and students
  - Provide the exact location of the problem
  - Advise of the location of the school *Incident Command Post*
- The *Incident Commander* will direct staff to secure the area around the chemical spill
- The *Incident Commander* will establish *Incident Command Post*, upwind/out of danger
- The *Incident Commander* will confirm roll has been taken/students are accounted for
- Until emergency responders can arrive and assist, the *Incident Commander* must consider these questions:
  - *Could the team safely look for missing students?*
  - *Should other buildings be evacuated?*
  - *Should evacuees be moved to a safer indoor location (Shelter-In-Place)?*
  - *Are any evacuees contaminated, and should they be separated from others?*
  - *Can First-Aid be started on injured persons without contaminating others?*
  - *Should a Student Release or School Evacuation be started?*

### ON-CAMPUS RELEASE - OUTSIDE BUILDING OR RELEASE - THREAT FROM OFF-CAMPUS

#### INCIDENT COMMAND STAFF will:

- The *Incident Commander* will initiate a campus-wide *Shelter-In-Place* action and ensure all students and staff outside buildings are quickly moved indoors
- The *Incident Commander* should remind staff to turn off air handling/ventilation systems, close all windows and doors and turn off fans and air conditioners
- The *Incident Commander* will call 9-1-1 and:
  - Identify the school and location
  - Describe the nature of the emergency (fire, smoke, building collapse, chemical spill, etc.)
  - Describe actions being taken to safeguard staff and students
  - Provide the exact location of the problem
  - Advise of the location of the school *Incident Command Post*

- The *Incident Commander* should consider initiating an immediate parent notification - **Parents should NOT come to the school and risk being exposed to the chemical release!**
- The *Incident Commander* will ensure that any buses en route to the school with students are re-directed to the school's off-campus evacuation site to await further instructions
- The school will remain in *Shelter-In-Place* until the Incident Commander and emergency response officials can further assess the situation to determine the best next course of action:
  - Continue *Shelter-In-Place*
  - Notify parents and initiate the *Student Release* procedure
  - Initiate an immediate *School Evacuation* procedure
  - Issue an "ALL CLEAR" signal and resume normal school operations

## **SEVERE WEATHER**

"Severe Weather" is defined as a severe windstorm, hailstorm, lightning storm or other weather event that could result in damage to school facilities or injuries to students or staff.

### **If a "Severe Weather Watch" has been issued by the National Weather Service:**

- Monitor NOAA Weather Stations (National Weather Service, Weather Channel, etc.)
- Bring all persons inside building(s).
- Be prepared to move students from mobile classrooms into permanent buildings
- Close facility doors, windows and blinds or curtains
- Review severe weather drill procedures and location of safe areas (Severe weather safe areas are under desks, in hallways and interior rooms away from windows)
- Review *Drop and Cover* procedures with students
- Avoid cafeterias with wide free-span roofs and large areas of glass windows

### **If a "Severe Weather Warning" has been issued in the school area, or if severe weather is being observed at or near the school:**

- The *Incident Commander* will initiate a *Shelter-In-Place*
- If flying debris or hail is creating a risk of broken windows, etc. the *Incident Commander* will further direct staff to implement *Drop and Cover* procedures until the threat subsides
- The *Incident Commander* should also be prepared to provide shelter to parents who may arrive to pick up children during the storm, until such time as it is safe to formally release the students without posing undue risk to staff or other students

### **After passage of the storm:**

- The *Incident Commander* will rescind the *Drop and Cover* order
- *Shelter-In-Place* should temporarily be continued
- The *Incident Commander* should deploy staff to do a preliminary damage assessment of campus buildings and facilities, to identify issues that need to be immediately addressed before students and staff are released to move about
- Based on this assessment the *Incident Commander* will:
  - Continue *Shelter-In-Place* until campus can be made safe
  - Give the "ALL CLEAR" signal and resume normal school operations
  - Notify parents and initiate *Student Release*
  - Initiate *Campus Evacuation*

## UTILITY LOSS / DAMAGE

Loss of electricity is the most common utility problem. However, loss of gas, water, or sewage disposal may also occur. Utility systems may also suffer damage or failure of related components on the school campus.

### LOSS OF UTILITIES

Most often the loss of utilities is a result of failure or damage of utility company infrastructure located off-campus. It is important to contact the utility company as soon as failure occurs to find out how long they anticipate an outage might last. When it appears the outage will not end in a reasonable amount of time, school officials must weigh their options for closing school and sending the students home.

### UTILITY SYSTEM DAMAGE OR FAILURE ON CAMPUS

The initial response to any problem with utility systems on campus is to try to identify the source, isolate the area, and shut off the supply of water, gas or electricity to the affected system component or building. The other, but less desired, approach is to shut down the gas, water or electrical supply to the entire campus.

There is no difference in emergency procedures for shutting off natural gas versus bottled gas, except that the main shut-off for the bottled gas is located on top of the tank, instead of at a natural gas valve or meter typically supplied through a pipe from the street. The *Incident Commander*/other key school personnel must know which type of system supplies the school and how to shut it off.

#### Gas Leak - INDOOR:

- Upon detecting gas odor, staff shall initiate *Classroom Evacuation* of the affected building
  - If the fire alarm uses mechanical bells, versus a speaker system, avoid using the fire alarm as it may create an explosive spark
  - DO NOT turn off lights or other electrical equipment which may cause a spark
  - Leave doors open to provide ventilation of the building
- The school Incident Commander/designee will call 9-1-1:
  - Give school name and address
  - Give location of gas leak – what building and what's leaking, if known
  - Describe best UPWIND access point for emergency responders – driveway/gate
  - Indicate that evacuation is underway and stay on the line to provide updates
- The *Incident Commander* will notify the natural gas company or bottled gas provider, describe the problem and request a response if appropriate
- The *Incident Commander* will determine whether to evacuate other buildings
  - *Shelter-In-Place* may be most appropriate if leak is small and contained to other building, weather is inclement, etc.
  - If sheltering in place, SHUT DOWN HVAC systems to keep gas out of buildings!
- The *Incident Commander* will activate the *Utility Team* to attempt to shut down gas at main shut-off or building shut-off
- Do not reenter the building(s) until fire or utility officials say it is safe

#### Gas Leak - OUTDOOR:

- Upon detecting gas odor, staff shall initiate *Evacuation* of the immediate area
  - Move everyone UPWIND, at least 100', more if leak is major
  - Post staff to prevent entry to the area
  - Prevent vehicles, including school service carts, etc. from entering area
- Notify the school office / *Incident Commander*
- The *Incident Commander* will call 9-1-1:
  - Give school name and address

- Give location of gas leak – what area of campus and what’s leaking, if known
- Describe best UPWIND access point for emergency responders – driveway/gate
- Request 9-1-1 operator to call Gas Company (they have rapid access)
- Stay on the line to provide updates
- The *Incident Commander* will determine whether to evacuate buildings
  - *Shelter-In-Place* may be most appropriate way to protect, unless gas is filling buildings (get everyone moved out and well upwind of leak)
  - If sheltering in place, SHUT DOWN HVAC systems to keep gas out of buildings!
- The *Incident Commander* will activate the *Utility Team* to attempt to shut down gas at main shut-off or building shut-off
- Do not allow anyone to reenter the building(s) until fire or utility officials say it is safe!

#### **Electrical System Damage / Failure:**

- If problem is in, or on, a school building and there is smoke or threat of fire:
  - Evacuate the building(s)
  - Close, but do not lock door
- Notify the school office / *Incident Commander*
- The *Incident Commander* will call 9-1-1:
  - Give school name and address
  - Give location and nature of the electrical problem
  - Describe best access point for emergency responders – driveway/gate
  - Indicate if evacuation is underway
  - Request 9-1-1 operator to call Electric Company (they have rapid access)
  - Stay on the line to provide updates
- *Incident Commander* will determine need to evacuate buildings, if not already done
- *Incident Commander* will activate the *Utility Team* to attempt to shut down electrical at main shut-off or building shut-off
- Do not reenter the building(s) until fire or utility officials say it is safe
- If problem is outdoors, Incident Commander will direct staff to isolate the area and stand watch until the power can be shut down
  - If school’s electrical system is involved, school will be responsible for shutting down power and calling an electrician
  - If Utility Company line/equipment is involved, the they will effect shut-down / repair

#### **Water/Sewer Line Break:**

- If water leak is in attic or other area where weight or effect of water may cause ceiling or building to collapse, enact *Classroom Evacuation*.
- Notify the school office / *Incident Commander*
- The *Incident Commander* will activate the *Utility Team* to attempt to shut down water at main shut-off or building shut-off
- The *Incident Commander* will assess situation and determine next step:
  - Whether to evacuate buildings, if not already done
  - Need to remove water, and / or cover / remove contents to protect equipment / electronics
  - Need to contact Maintenance (plumber), water removal specialists or others
- Do not allow anyone to reenter the building(s) until fire or utility officials say it is safe!
- If problem is outdoors, *Incident Commander* will direct staff to isolate the area and stand watch until the leak can be shut down

## **BOMB THREAT**

Even though most bomb threats are pranks, they must all be taken seriously to ensure the safety of school students, staff and visitors.

**BOMB THREAT**  
**(continued)**

**BOMB THREAT**  
**(continued)**

## **TELEPHONE BOMB THREAT REPORT FORM**



## **FIRE / EXPLOSION / BUILDING COLLAPSE**

Fire, explosion and/or building collapse may result from earthquakes, severe weather, vehicle accidents, structural defects or many other reasons. Remember - Smoke is just as dangerous as fire. Most fire deaths are due to smoke inhalation.

### **INCIDENT COMMAND STAFF will:**

- Call 9-1-1 and provide information about the emergency:
  - Confirm address of school
  - Provide exact location of fire, explosion or collapse
  - Describe current situation, including damage and estimated number of injured
  - Provide location of school Incident Command post
  - Describe best access for emergency responders – driveway/gate
  - If possible, remain on line to provide updates
- Ensure fire alarm has been sounded (If needed, announce changes in evacuation routes due to incident location)
- Establish an *Incident Command Post*
- Meet arriving fire and police personnel:
  - Take *Crisis Response Binder*
  - Identify the location of fire, smoke, explosion or gas smell
  - Advise locations of injured or trapped persons
  - Provide last known location of any missing persons
- Establish Unified Command with emergency response officials
- Determine if it is necessary to:
  - Cancel school and notify parents to pick up students from campus
  - Call *Classroom or Site Evacuation* to an off-campus site for pick-up by parents
- Announce “All Clear” if and when it is safe to re-enter the buildings

### **STAFF will:**

- Upon discovery of a fire, explosion or building collapse, activate the fire alarm
- Implement *Classroom Evacuation* procedures
  - Use a secondary route if the primary route is blocked or hazardous
  - Close, but do not lock, doors when leaving
- Inform office/ *Incident Commander* of the emergency
- Following evacuation:
  - Account for all students and check for injuries
  - Immediately report any missing, extra or injured students
  - Wait for additional instructions

## BASIC MEDICAL EMERGENCY

This procedure outlines basic steps to be taken for day-to-day campus medical emergencies involving a single victim. In major emergencies involving multiple victims, many of the basic principles outlined below will also apply.

### **School Staff Response:**

- Quickly assess the situation
- Make sure it is safe for you to approach
- Some examples of danger include:
  - *Live electric wires*
  - *Gas leak*
  - *Building damage*
  - *Animal or insect threat*
- Immediately notify the office / *Incident Commander*
- Assess the seriousness of the injury or illness, and update office / *Incident Commander*
- Protect yourself against contact with blood or body fluids (put on gloves if possible)
- Administer appropriate first aid according to your level of training until help arrives
- Do not move if seriously injured unless the scene is absolutely unsafe
- If the victim is not breathing, or there is no pulse, begin CPR if so trained.

### **Incident Commander:**

- Send available staff with first aid training to injured person's location

### **If injury / illness not deemed an emergency:**

- Get the victim moved to the designated treatment area (*Health Services Office*)
- Notify parent / guardian
- Ensure appropriate treatment (and / or release to parent / guardian)

### **If injury / illness is deemed an emergency:**

- Ensure 9-1-1 is called, and appropriate information is provided to emergency operator
- Notify Coordinator, Health Services that an ambulance has been called
- Assign a staff member to meet and direct emergency responders to the victim
- Assign a staff member to remain with the victim if transported to the hospital
- Ensure student/staff emergency medical information goes with victim to the hospital
- Notify parent / guardian of the situation, and where the victim has been taken

### **Post event considerations:**

- Review event to determine if incident was caused by a safety issue that requires further investigation or corrective action
- Review incident to assess need for improved procedures or additional staff training
- Consider need to provide follow-up counseling to students / staff / parents
- Remember that information regarding injuries or illnesses is confidential and cannot be shared with the media or others

## **PANDEMIC EMERGENCIES**

In the event of a declared pandemic emergency, all schools in VUSD will adhere to the guidelines and direction of the State, County Health Department and District Office for Pandemic Protocols and procedures including but not limited to:

- School Closures and Reopenings (revised instructional schedules. distance learning, hybrid schedules and other protocols for school enrollment or support services)
- Safety Precautions (masks, social distancing, washing hands, sanitizing areas and equipment, PPE as needed and directed by District Office, directives from Health Department regarding meetings and groups)
- Perform contact tracing and other directives from County Health and State Department

## **IV. PROCEDURES FOR COMPLYING WITH EXISTING LAWS RELATED TO SCHOOL SAFETY**

### **CHILD ABUSE REPORTING PROCEDURES**

#### **BOARD POLICY 5141.4(a)**

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

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

In the event that training is not provided to mandated reporters, the Superintendent or designee shall report to the California Department of Education the reasons that such training is not provided. (Penal Code 11165.7) Parents/guardians may contact the Superintendent or designee to obtain procedures for filing a complaint against a district employee or other person whom they suspect has engaged in abuse of a child at a school site.

#### **AR 5141.4**

#### **CHILD ABUSE PREVENTION AND REPORTING**

##### **Definitions**

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

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

*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 legally privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and

appropriate conditions conducive to learning (Education Code 44807)

4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of a student (Education Code 49001)
5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by a student (Education Code 49001)
6. Homelessness or classification as an unaccompanied minor (Penal Code 11165.15)

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

*Reasonable suspicion* means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse or neglect. However, reasonable suspicion does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect. (Penal Code 11166)

### **Reportable Offenses**

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

Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on 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 practicable after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to any police department (excluding a school district police/security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department. (Penal Code 11165.9, 11166)

Tulare County Child Protective Services  
Child Welfare Services/Attn: Screeners  
3500 W. Mineral King, Suite B  
Visalia, CA 93292  
1-800-331-1585

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

### **2. Written Report**

Within 36 hours of knowing or observing the information concerning the incident, the mandated reporter shall then prepare and either send, fax, or electronically submit to the appropriate agency a written follow-up report, which includes a completed Department of Justice (DOJ) form (BCIA 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)

1. The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter
2. The child's name and address, present location, and, where applicable, school, grade, and class
3. The names, addresses, and telephone numbers of the child's parents/guardians
4. The name, address, telephone number, and other relevant personal information about the person who might have abused or neglected the child

5. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information

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

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

### 3. Internal Reporting

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

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

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

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

### **Training**

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

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

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

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

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

(Education Code 44691)

### **Victim Interviews by Social Services**

Whenever the Department of Social Services or another government agency is investigating suspected child abuse or neglect that occurred within the child's home or out-of-home care facility, the student may be interviewed by an agency representative during school hours, on school premises. The Superintendent or designee shall give the student the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the student. (Penal Code 11174.3)

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

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

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

### **Release of Child to Peace Officer**

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

### **Parent/Guardian Complaints**

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

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

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.

### **Notifications**

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

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

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

The Superintendent or designee also shall notify all employees that:

1. A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of his/her professional capacity or outside the scope of his/her employment. Any other person making a report shall not incur civil or criminal liability unless it can be proven that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)
2. If a mandated reporter fails to timely report an incident of known or reasonably suspected child abuse or neglect, he/she may be guilty of a crime punishable by a fine and/or imprisonment. (Penal Code 11166)
3. No employee shall be subject to any sanction by the district for making a report unless it can be shown that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11166)

# **SUSPENSION AND EXPULSION**

## **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.

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
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.

### **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)

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-8 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.

### **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
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 the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code 48915(b) and (e))

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

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

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

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

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

## **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)

## **Maintenance and Monitoring of Outcome Data**

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

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

## **AR5144.1**

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

#### **Definitions**

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

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

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

#### **Notice of Regulations**

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

**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:

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

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

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to himself/herself or his/her property; cause the student to experience a 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 includes any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in items #1-3 of "Additional Grounds for Suspension and Expulsion: Grades 412," that has any of the effects described above on a reasonable student.

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

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

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

- b. A post on a social network Internet web site, including, but not limited to, posting to or creating a burn page or creating a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above.

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

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

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

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

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

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)

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

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

3. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially

disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4) Any student in grades 9-12 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

### **Suspension from Class by a Teacher**

A teacher may suspend a student, from class for the remainder of the day and the following day for 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. (Education Code 48900.5)

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

### **Length of Suspension**

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days. (Education Code 48911) A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class for the purpose of adjustment, 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)

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

### **Due Process Procedures for Suspension**

Suspensions shall be imposed in accordance with the following procedures:

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

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

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

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

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

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

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

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

In lieu of or in addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct 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 that would violate a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

The Board shall provide the student and 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 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).

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 nonattorney 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.

*Nonattorney adviser* means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing. AR 5144.1(q)

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, a videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. **Record of Hearing:** A record of the hearing shall be made and may be maintained by any means,

including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))

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

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(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 open session by the Board, a hearing officer, or an administrative panel or is waived through the signing of a stipulated expulsion agreement, the final action to expel shall be taken by the Board in public. (Education Code 48918(j))

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

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any "mandatory recommendation and mandatory expulsion" act listed in the section "Authority to Expel" in the accompanying Board policy, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during

summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916)

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

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

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

### **Written Notice to Expel**

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12" 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 County Board. (Education Code 48917)

### **Appeal**

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

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

**Notification to Law Enforcement Authorities**

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

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

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

**Placement During Expulsion**

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

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

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

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

**Readmission After Expulsion**

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

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

# **EMPLOYEE SECURITY**

## **Board Policy 4158**

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

Any person who threatens the safety of others at any district facility may be removed by the Superintendent or designee in accordance with AR 3515.2- Disruptions.

Any employee against whom violence or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace. Such measures may include seeking a temporary restraining order on behalf of the employee pursuant to Code of Civil Procedure 527.8 and/or a gun violence restraining order pursuant to Penal Code 18150 and 18170.

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

The Superintendent or designee shall provide staff development in crisis prevention and intervention techniques, which may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution. In accordance with law, the Superintendent or designee shall inform teachers, administrators, and/or counselors of crimes and offenses committed by students who may pose a danger in the classroom. (Education Code 48201, 49079; Welfare and Institutions Code 827)

## **Reporting of Injurious Objects**

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

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

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

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

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

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

#### **AR 4158**

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

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

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

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

1. Acts That Are Grounds for Suspension or Expulsion
  - a. The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in AR 5144.1-Suspension and Expulsion/Due Process. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)
  - b. Upon receiving a transfer student's record regarding acts committed by the student that resulted in suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from the former district and of the act that resulted in the suspension or expulsion. (Education Code 48201)
  - c. Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 48201, 49079)
2. Offenses Reported to the District by a Court
  - a. When informed by a court that a minor student has been found by the court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall expeditiously notify the school principal. (Welfare and Institutions Code 827)

- b. The principal shall expeditiously disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress and to any teacher or administrator directly supervising or reporting on the student's behavior or progress whom the principal thinks may need the information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)
- c. Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)
- d. When a student is removed from school as a result of an offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code 827)
- e. Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

#### **Accommodations for Victims of Domestic Violence, Sexual Assault, or Stalking**

When requested by an employee who is a victim of domestic violence, sexual assault, or stalking, the district shall provide the employee reasonable accommodations which may include the implementation of safety measures, including: (Labor Code 230)

- 1. A transfer, reassignment, or modified schedule
- 2. A changed work telephone or work station
- 3. An installed lock
- 4. Assistance in documenting domestic violence, sexual assault, stalking, or other crime that occurs in the workplace
- 5. Referral to a victim assistance organization
- 6. Another safety procedure or adjustment to a job structure, workplace facility, or work requirement in response to domestic violence, sexual assault, stalking, or other crime

The Superintendent or designee shall engage in a timely, good faith, and interactive process with the employee to determine effective reasonable accommodations that do not pose an undue hardship on the district. In determining whether an accommodation is reasonable, the Superintendent or designee shall consider any exigent circumstance or danger facing the employee. (Labor Code 230)

Upon the request of the Superintendent or designee, an employee requesting a reasonable accommodation shall provide a written statement, signed by the employee or an individual acting on the employee's behalf, certifying that the accommodation is for an authorized purpose. The Superintendent or designee may also request that the employee provide certification of the employee's status as a victim of domestic violence,



sexual assault, or stalking. Such certification may include: (Labor Code 230)

1. A police report indicating that the employee was a victim
2. A court order protecting or separating the employee from the perpetrator of the crime or abuse, or other evidence from the court or prosecuting attorney that the employee has appeared in court
3. Documentation from a licensed medical professional or health care provider, domestic violence or sexual assault counselor, victim advocate, or counselor that the employee was undergoing treatment or receiving services for physical or mental injuries or abuse resulting in victimization from the crime or abuse
4. Any other form of documentation that reasonably verifies that the crime or abuse occurred, including, but not limited to, a written statement signed by the employee or by an individual acting on the employee's behalf

Any verbal or written statement, police or court record, or other documentation identifying an employee as a victim shall be confidential and shall not be disclosed by the district except as required by federal or state law or as necessary to protect the employee's safety in the workplace. The employee shall be notified before any authorized disclosure. (Labor Code 230)

Every six months after the date of the certification, the Superintendent or designee may request recertification of the employee's status as a victim of domestic violence, sexual assault, or stalking or ongoing circumstances related to the crime or abuse. The employee shall notify the Superintendent or designee if, due to changing circumstances, the employee needs a new accommodation or no longer needs an accommodation. (Labor Code 230)

The district shall not retaliate against an employee because of the employee's status as a victim of crime or abuse or for requesting a reasonable accommodation, regardless of whether the request was granted. (Labor Code 230)

# **STUDENT NONDISCRIMINATION / HARASSMENT**

## **Board Policy 5145.3**

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

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school or a school sponsored activity. This policy shall also apply to off-campus speech which has some nexus to the school or is reasonably foreseeable to reach the school, and the speech substantially disrupts or materially interferes with the school environment or activities, causes an administrator to reasonably forecast that it will cause a substantial disruption of or material interference with the school environment or activities, or collides with the rights of students to be left alone in the school environment.

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

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services. The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint. The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. He/she shall provide training and information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall periodically review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. He/she shall report his/her findings and recommendations to the Board.

As a general rule, regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory

harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students. If the complaint is verbal, complainants shall be encouraged to submit their complaint in writing. However, if the complaint is anonymous, the Superintendent or designee shall determine whether it is reasonable to pursue an investigation considering the timeliness, specificity and reliability of the information, the seriousness of the alleged incident, and whether any individuals can be identified who were subjected to the alleged bullying. The District shall consider, on a case-by-case basis whether or not to investigate anonymous complaints.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal. This includes expressions of hate speech and messages of hate, intolerance, and discrimination.

### **Record-Keeping**

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

### **AR5145.3**

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with applicable state and federal civil rights laws, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at (Education Code 234.1; 5 CCR 4621)

Administrator of Equity and Student Services – Title IX Coordinator  
Assistant Superintendent – Educational Services  
Assistant Superintendent – Human Resources Development

Address: 5000 W. Cypress Avenue, Visalia, CA 93277  
Phone: (559) 730-7300  
Email: [studentservices@vusd.org](mailto:studentservices@vusd.org)

Any verbal or written complaints and reports of harassment, discrimination, bullying, and hate-motivated behavior reported to the school administration team (e.g. principal, assistant principal) at each school site

must be coordinated with the compliance officer(s) listed above. School site administration is expected to promptly and appropriately respond to such complaints and reports while coordinating with the compliance officer(s).

### **Measures to Prevent Discrimination**

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public by posting them on the district's web site and other prominent locations and providing easy access to them through district-supported communications.
2. Post the district's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying, including a section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums of social media, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)
3. Post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)
4. Post in a prominent and conspicuous location on the district and school web sites information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code 221.6, 221.61, 234.6)
  - a. The name and contact information of the district's Title IX coordinator, including the phone number and email address
  - b. The rights of students and the public and the responsibilities of the district under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)
  - c. A description of how to file a complaint of noncompliance with Title IX in accordance with AR 1312.3 - Uniform Complaint Procedures, which shall include:
    - 1) An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations
    - 2) An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's web site

- 3) A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office
5. Post a link to statewide CDE-compiled resources, including community-based organization, that provide support to youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying and to their families. Such resources shall be posted in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.5, 234.6)
6. Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior. (Education Code 234.1)
7. Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.
8. The Superintendent or designee shall ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand. If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.
9. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines the district may use to provide a discrimination-free environment for all district students, including transgender and gender-nonconforming students.
10. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)
11. At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate assistance or resources to protect students from threatened or potentially discriminatory behavior and ensure their privacy rights.

### **Enforcement of District Policy**

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti
2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond
3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination
4. Consistent with laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment
5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that he/she knew was not true

### **Process for Initiating and Responding to Complaints**

Any student who feels that he/she has been subjected to unlawful discrimination described above or in district policy is strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, any student who observes any such incident is strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When a verbal report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, he/she shall make a note of the report and encourage the student or parent/guardian to file the complaint in writing, pursuant to the provisions in AR 1312.3 - Uniform Complaint Procedures. Once notified verbally or in writing, the principal or compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the principal, compliance officer, or any other

person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

### **Transgender and Gender-Nonconforming Students**

*Gender identity* of a student means the student's gender-related identity, appearance, or behavior as determined from the student's internal sense of his/her gender, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

*Gender expression* means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

*Gender transition* refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

*Gender-nonconforming student* means a student whose gender expression differs from stereotypical expectations.

*Transgender student* means a student whose gender identity is different from the gender he/she was assigned at birth.

Regardless of whether they are sexual in nature, acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment are prohibited. Examples of the types of conduct which are prohibited in the district and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with his/her gender identity
2. Disciplining or disparaging a student or excluding him/her from participating in activities for behavior or appearance that is consistent with his/her gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable
3. Blocking a student's entry to the restroom that corresponds to his/her gender identity
4. Taunting a student because he/she participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information, without the student's consent
6. Use of gender-specific slurs
7. Physical assault of a student motivated by hostility toward him/her because of his/her gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of genderbased harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

1. **Right to privacy:** A student's transgender or gender-nonconforming status is his/her private information and the district shall only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's transgender or gender-nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless he/she is required to disclose or report the student's information pursuant to this administrative regulation, and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to his/her status as a transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the student's need for support, the compliance officer may discuss with the student any need to disclose the student's transgender or gender-nonconformity status or gender identity or gender expression to his/her parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

2. **Determining a Student's Gender Identity:** The compliance officer shall accept the student's assertion of his/her gender identity and begin to treat the student consistent with his/her gender identity unless district personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.
3. **Addressing a Student's Transition Needs:** The compliance officer shall arrange a meeting with the student and, if appropriate, his/her parents/guardians to identify and develop strategies for ensuring that the student's access to education programs and activities is maintained. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including,



but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to his/her status as a transgender or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting his/her educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

4. **Accessibility to Sex-Segregated Facilities, Programs, and Activities:** When the district maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, access to a staff member's office, or use of the locker room before or after the other students. However, the district shall not require a student to utilize these options because he/she is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with his/her gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with his/her gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.
5. **Student Records:** A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. However, at the written request of a student or, if appropriate, his/her parents/guardians, the district shall use the student's preferred name and pronouns consistent with his/her gender identity on all other district-related documents. Such preferred name may be added to the student's record and official documents as permitted by law.
6. **Names and Pronouns:** If a student so chooses, district personnel shall be required to address the student by a name and the pronouns consistent with his/her gender identity, without the necessity of a court order or a change to his/her official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns will, in general, not constitute a violation of this administrative regulation or the accompanying district policy.
7. **Uniforms/Dress Code:** A student has the right to dress in a manner consistent with his/her gender identity, subject to any dress code adopted on a school site.

# **BULLYING**

## **Board Policy 5131.2**

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

The Board recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a welcoming, safe, and supportive school environment that protects students from physical, mental, and emotional harm. No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

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 Administrative Regulation 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.

If the Superintendent or designee believes it is in the best interest of a student who has been the victim of an act of bullying, as defined in Education Code 48900, the Superintendent or designee shall advise the student's parents/guardians that the student may transfer to another school. If the parents/guardians of a student who has been the victim of an act of bullying requests a transfer for the student pursuant to Education Code 46600, the Superintendent or designee shall allow the transfer in accordance with law and district policy on intradistrict or interdistrict transfer, as applicable.

District families are encouraged to model respectful behavior, contribute to a safe and supportive learning environment, and monitor potential causes of bullying.

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

## **AR 5131.2**

### **Examples of Prohibited Conduct**

Bullying is an aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and may involve a single severe act or repetition or potential repetition of a deliberate act. Bullying includes, but is not limited to, any act described in Education Code 48900(r).

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images, which may be shared, sent, or posted publicly. Cyberbullying may include, but is not limited to, personal or private information that causes humiliation, false or negative information to discredit or disparage, or threats of physical harm. Cyberbullying may also include breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to:

1. Physical bullying: An act that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
2. Verbal bullying: An act that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
3. Social/relational bullying: An act that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
4. Cyberbullying: An act that occurs on electronic devices such as computers, tablets, or cell phones, such as sending demeaning or hateful text messages, direct messages or public posts on social media apps, gaming forums, or emails, spreading rumors by email or by posting on social networking sites, shaming or humiliating by allowing others to view, participate in, or share disparaging or harmful content, or posting or sharing embarrassing photos, videos, website, or fake profiles

### **Measures to Prevent Bullying**

The Superintendent or designee shall implement measures to prevent bullying in district schools, including, but not limited to, the following:

Developing a strategic plan for school connectedness and social skills with benchmark tracking, which may include providing regular opportunities and spaces for students to develop social skills and strengthen relationships and promoting adult support from family and school staff, peer-led programs, and partnerships with key community groups, implementing socially based educational techniques such as cooperative learning projects that can improve educational outcomes as well as peer relations, creating a supportive school environment that fosters belonging through equitable classroom management, mentoring, and peer support groups that allow students to lean on each other and learn from each other's experiences, and building social

connection into health education courses including information on the consequences of social connection on physical and mental health, key risk and protective factors, and strategies for increasing social connection

1. Ensuring that each school establishes clear rules for student and staff conduct and implements strategies to promote a positive, supportive, and collaborative school climate
2. Providing information to students, through student handbooks, district and school websites and social media, and other age-appropriate means, about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
3. Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously
4. Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as playgrounds, hallways, restrooms, and cafeterias
5. Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

### **Staff Development**

The Superintendent or designee shall annually make available to all certificated staff and to other employees who have regular interaction with students the California Department of Education (CDE) online training module on the dynamics of bullying and cyberbullying, including the identification of bullying and cyberbullying and the implementation of strategies to address bullying. (Education Code 32283.5)

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

### **Information and Resources**

The Superintendent or designee shall post on the district's website, in a prominent location and in a manner that is easily accessible to students and parents/guardians, information on bullying and harassment prevention which includes the following: (Education Code 234.6)

The district's policy on student suicide prevention, including a reference to the policy's age appropriateness for students in grades K-6

1. The definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8
2. Title IX information included on the district's website pursuant to Education Code 221.61, and a link to the Title IX information included on CDE's website pursuant to Education Code 221.6
3. District policies on student sexual harassment, prevention and response to hate violence, discrimination, harassment, intimidation, bullying, and cyberbullying
4. A section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media
5. A link to statewide resources, including community-based organizations, compiled by CDE pursuant to Education Code 234.5
6. Any additional information the Superintendent or designee deems important for preventing bullying and harassment

### **Student Instruction**

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

The district shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff are responsible for teaching and modeling respectful behavior and building safe and supportive learning environments, and are expected to demonstrate effective problem-solving and anger management skills.

To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and to consider the consequences of making negative

comments about others online.

### **Reporting and Filing of Complaints**

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.

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

Within one business day of receiving such a report, a staff member shall notify the principal of the report, regardless of whether a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or a district compliance officer, regardless of whether 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 Administrative Regulation 1312.3.

Any individuals with information about cyberbullying activity shall save and print any electronic or digital messages that they feel constitute cyberbullying and shall notify a teacher, the principal, or other employee so that the matter may be investigated. When an investigation concludes that a student used a social networking site or service to bully or harass another student, the Superintendent or designee may report the cyberbullying to the social media platform and may request the material be removed.

### **Discipline/Corrective Actions**

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention, and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

When a student has been suspended, or other means of correction have been implemented against the student, for an incident of racist bullying, harassment, or intimidation, the principal or designee shall engage both the victim and perpetrator in a restorative justice practice suitable to the needs of the students. The principal or designee shall also require the perpetrator to engage in a culturally sensitive program that promotes racial justice and equity and combats racism and ignorance and shall regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues. (Education Code 48900.5)

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.

### **Support Services**

The Superintendent, principal, or 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)

If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement district intervention protocols which may include, but are not limited to, referral to district or community mental health services, other health professionals, and/or law enforcement, in accordance with Board Policy and Administrative Regulation 5141.52 - Suicide Prevention.

## **HATE-MOTIVATED BEHAVIOR**

### **Board Policy 5145.9**

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 immutable 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, to the extent possible, 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.

As needed, 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.

A student's use of hate speech shall be considered prohibited discrimination and a hate-motivated act, communicating a message of hate, intolerance, and discrimination due to the tension these words create, the actual or reasonably foreseeable substantial disruption they cause to the educational environment, and the negative psychological impact they have on other students. This policy shall also apply to off-campus speech, including expression on off-campus Internet web sites, when the speech has some nexus to the school or is

reasonably foreseeable to reach the school, and the speech substantially disrupts or materially interferes with the school environment or activities, causes an administrator to reasonably forecast that it will cause a substantial disruption of or material interference with the school environment or activities, or collides with the rights of students to be left alone in the school environment.

“Hate speech” is defined as abusive, threatening, insulting, harassing or intimidating speech, writing or symbols directed or targeted at another individual or group of individuals, which (1) infringes on their right to be secure or left alone at school; and, (2) which expresses prejudice against a particular group motivated by hostility towards the other individual’s real or perceived characteristics, including, but not limited to, race, religion, ethnicity, national origin, sex, disability, sexual orientation, or gender identity.

As a general rule, any student who uses hate speech shall be first counseled about the use of hate speech, the history and social ramifications of the speech, and warned that messages of hate, intolerance, and discrimination are unacceptable at school and, if continued, could lead to further discipline, including possible expulsion.

Notwithstanding the general rule set forth above, suspension and expulsion for hate speech shall be implemented as appropriate and to the extent allowable by law. Suspension and expulsion shall be reserved for students whose use of hate speech has continued to occur after attempts to counsel and educate the student about appropriate speech and behavior; when the hate speech is unprovoked and targeted at other student(s) or staff; when the hate speech is linked to other serious misconduct; or when the behavior is severe or pervasive as defined in Education Code 48900.4.

### **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 school’s administration team (e.g. principal or assistant principal) who will then contact the district’s compliance officer responsible for coordinating the district’s investigation response to complaints and complying with state and federal civil rights laws. As appropriate, the administrator shall also contact law enforcement. It is the responsibility of the school site’s administration team to promptly and appropriately respond to hate-motivated behavior while coordinating with the District’s compliance officer.

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.



# **STUDENT SEXUAL HARASSMENT**

## **Board Policy 5145.7**

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

The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult or who have experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact their teacher, the principal, the district's Title IX Coordinator, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 5145.71 – Title IX Sexual Harassment Complaint Procedures or BP/AR 1312.3 – Uniform Complaint Procedures, as applicable. Because a complaint or allegation that is denied under the Title IX complaint procedures may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4145.71 concurrently meets the requirements of BP/AR 1312.3.

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

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

## **Instruction/Information**

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even 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. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the district will take interim measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation

### **Disciplinary Actions**

Upon completion of an investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

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

### **Record-Keeping**

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

### **AR 5145.7**

#### **Definition**

Education Code 212.5 defines sexual harassment as any unwelcome sexual advance, request for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone in the educational setting. For purposes of suspension and expulsion, Education Code 48900.2 defines sexual harassment as conduct, when considered from the perspective of a reasonable person of the same gender as the victim, that 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 for the victim; see AR 5144.1 - Suspension and Expulsion/Due Process. Conduct that meets the federal definition of sexual harassment in 34 CFR 106.30 (i.e., (1) a district employee conditioning the provision of a district aid, benefit, or service on an individual's participation in unwelcome sexual conduct; (2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 and 34 USC 12291) requires investigation and resolution through Title IX regulations; see AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.

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 in accordance with AR 5145.71 – Title IX Sexual Harassment Complaint Procedures, 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:

Administrator of Equity and Student Services – Title IX Coordinator  
Assistant Superintendent – Educational Services  
Assistant Superintendent – Human Resources Development

Address: 5000 W. Cypress Avenue, Visalia, CA 93277

Phone: (559) 730-7300

Email: [studentservices@vusd.org](mailto:studentservices@vusd.org)

The district shall notify students, parents/guardians, employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

### **Prohibited Conduct**

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.

Any prohibited conduct that occurs off campus or outside of school-related or schoolsponsored programs or activities will be regarded as sexual harassment in violation of district policy if it has a continuing effect on or creates a hostile school environment for the complainant or victim of the conduct.

For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

### **Examples of Sexual Harassment**

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
12. Electronic communications containing comments, words, or images described above

### **Reporting Complaints**

A student or parent/guardian who believes that the student has been subjected to sexual harassment by another student, an employee, or a third party or who has witnessed sexual harassment is strongly encouraged to report the incident to a teacher, the principal, the district's Title IX Coordinator, 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 Title IX Coordinator. 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 Title IX Coordinator, regardless of whether the alleged victim files a formal complaint.

When a report or complaint of sexual harassment involves off-campus conduct, the Title IX Coordinator shall assess whether the conduct may create or contribute to the creation of a hostile school environment. If the Title IX Coordinator determines that a hostile environment may be created, the complaint shall be investigated and resolved in the same manner as if the prohibited conduct occurred at school. When a verbal or informal report of sexual harassment is submitted, the Title IX Coordinator 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.

### **Complaint Procedures**

All complaints and allegations of sexual harassment by and against students shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 1312.3 - Uniform Complaint Procedures. If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, implement remedies, and address any continuing effects.

### **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)
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)
3. Be summarized on a poster which shall be prominently and conspicuously displayed in each bathroom and locker room at each school. The poster may be displayed in public areas that are accessible to and frequented by students, including, but not limited to, classrooms, hallways, gymnasiums, auditoriums, and cafeterias. The poster shall display the rules and procedures for reporting a charge of sexual harassment; the name, phone number, and email address of an appropriate school employee to contact to report a charge of sexual harassment; the rights of the reporting student, the complainant, and the respondent; and the responsibilities of the school. (Education Code 231.6)
4. Be posted in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. This shall include the name or title, office address, email address, and telephone number of the employee(s) designated as the district's Title IX Coordinator. (Education Code 234.6; 34 CFR 106.8)
5. 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)

6. 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)
7. Be included in any handbook provided to students, parents/guardians, employees, or employee organizations (34 CFR 106.8)

## **DRESS AND GROOMING**

### **Board Policy 5132**

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment and encourages parents to promote positive, healthy, and safe clothing choices for students. The Board expects students to give proper attention to personal cleanliness and to wear clothing that is suitable for the school activities in which they participate. Students shall not wear clothing that presents a health or safety hazard, promotes drugs or other illegal activities, or expresses hate speech as defined in BP 5145.9.

Students and parents/guardians shall be informed about dress and appearance standards at the beginning of the school year and whenever these standards are revised. District and school rules pertaining to student attire shall be included in student handbooks, may be posted in school offices and classrooms, and may be periodically reviewed with all students as necessary. A student who violates these standards shall be subject to informal student-teacher conferences, alternative means of correction, or formal appropriate disciplinary action depending on the circumstances.

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

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

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

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

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

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

### **Gang-Related Apparel**

The principal, staff and parents/guardians at a school may establish a dress code that prohibits students from

wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities if the school's dress code is approved by the governing board. The dress code policy may be included in the school's comprehensive safety plan. (Education Code 35183)

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

### **Uniforms**

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

Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval. The principal or designee shall notify parents/guardians about such a dress code at least six months in advance of implementation. (Education Code 35183)

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

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

### **AR 5132**

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

It is the responsibility of students and parents/guardians, with the cooperation of the school, to maintain an acceptable standard of dress. All students should be able to dress appropriately and comfortably for school without fear of unnecessary discipline or fear of displaying their body in front of others when the dress code is enforced. An individual student's clothing should not be regulated based on another student or staff member's personal perspective or discomfort but should instead be regulated to prevent a student's attire from interfering with their or any other student's health or safety, and to ensure that student attire does not contribute to a hostile or intimidating atmosphere for any student.

The following guidelines shall apply to all regular school activities for grades K- 12, and includes clothing and where applicable, jewelry and other personal items (e.g., backpacks, fanny packs, gym bags, water bottles, etc.):

1. Students must wear appropriate bottoms, tops, and shoes at all times. Students may wear pants; fitted pants, including leggings, yoga pants, and "skinny jeans"; sweatpants; ripped jeans, as long as underwear is not exposed; athletic attire; shorts; skirts; and dresses. Tops must reach the waistband of bottoms, regardless of arm position (tops that reveal midriff is a violation). When students are sitting

or standing, clothing must cover underwear, genitals, buttocks, and areolae/nipples with opaque material. Shoulders must be covered with at least a non-undergarment strap of clothing (strapless/backless tops are in violation of dress code), unless it is formal attire for a school-sponsored event. (Visible waistbands or straps on undergarments worn under other clothing are not a violation.)

2. Students cannot have clothing or personal items on campus, including brands that promote any of the following:
  - a. Violent language or images.
  - b. Images or language depicting vaping, drugs, or alcohol (or any illegal item or activity) or the use of same
  - c. Hate speech as defined in BP 5145.9 – Hate-Motivated Behavior.
  - d. Profanity
  - e. Pornography
  - f. Images and/or language that creates a hostile or intimidating environment based on any protective class. Religious messages may not be singled out for suppression but shall be subject to the same rules that apply to comparable nonreligious messages. Students with any tattoo that creates a hostile or intimidating environment based on a protective class may be required to wear clothing or other types of coverings over the tattoo to ensure an appropriate and safe learning environment for all students.
3. Students may wear sun-protective clothing, including hats, caps, beanies, durags, and other head coverings outdoors. Students shall be allowed to wear sun-protective clothing, including but not limited to hats with the school logo, for outdoor use during the school day. (Education Code 35183.5) Students without religious accommodations must remove headwear when indoors in the classroom. Helmets, hoods, headphones, or headgear that obscures the face or ears are not allowed except as required by law, including religious observance and disability accommodation, or as necessary for the educational or athletic activity.
4. Attire or accessories that could be considered dangerous or which may be used as a weapon are not allowed. This includes, but is not limited to chains, wallet chains, and items with spikes or studs.
5. Sunglasses shall not be worn in school buildings unless there is a physician's letter on file specifying the need or the need is specified in a student IEP.

Students who shall be provided, as necessary, access to alternative clothing when their dress and grooming violates the above regulations.

The dress code shall be modified as appropriate to accommodate a student's religious or cultural observance, health condition, or other circumstance deemed necessary by the principal or designee. When wearing particular attire, such as yarmulkes, head scarves, hijabs, patkas, or other clothing or jewelry associated with their religion or containing a religious message during the school day, schools generally may not prohibit the wearing of such items, unless it is likely to cause a substantial disruption of, or interference with, the orderly operation of the school. Students desiring to attend school with a kirpan should consult with school officials to ensure that the wearing of a kirpan complies with applicable laws restricting knives on school grounds while also accommodating as best as possible the student's sincerely held religious belief. If a student's religious



attire could cause a safety hazard in a particular activity, an alternative activity shall be substituted for that student.

In addition, the principal or designee may impose dress requirements to accommodate the needs of special school activities, physical education classes, athletic activities, and other extracurricular and co-curricular activities.

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

Instructional time that includes specific attire as part of the curriculum (e.g. public speaking, historical dress, drama, internships) shall not promote negative messages predicated on body maturity or shape. (Education Code 221.5.)

### **Gang-Related Apparel**

At individual schools that have a board approved dress code prohibiting gang-related apparel at school or school activities, the principal, staff and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 35294.1)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed periodically. As necessary, the school shall collaborate with law enforcement agencies to update definitions of gang-related apparel.

### **Uniforms**

In schools where a school-wide uniform is required, the principal, staff and parents/guardians of the individual school shall jointly select the specific uniform to be worn. (Education Code 35183)

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

Parents/guardians shall also be informed of their right to have their child exempted.

The principal or designee shall also repeat this notification at the end of the school year so that parents/guardians are reminded before school clothes are likely to be purchased.

The Superintendent or designee shall establish criteria for determining student eligibility for financial assistance when purchasing uniforms.

The Superintendent or designee shall establish a method for recycling or exchanging uniforms as students grow out of them.

Students who participate in a nationally recognized youth organization shall be allowed to wear organization uniforms on days when the organization has a scheduled meeting. (Education Code 35183)

To ensure effective and equitable enforcement of this dress code, school staff shall enforce the dress code consistently using the requirements below. School administration and staff shall not have discretion to vary the requirements in ways that lead to discriminatory enforcement.

- Students will only be removed from spaces, hallways, or classrooms as a result of a dress code violation as outlined above. Students in violation of the dress code will be provided three (3) options to be dressed more to code during the school day:
  - Students will be asked to put on their own alternative clothing, if already available at school, to be dressed more to code for the remainder of the day.
  - Students will be provided with temporary school clothing to be dressed more to code for the remainder of the day.
  - If necessary, students' parents may be called during the school day to bring alternative clothing for the student to wear for the remainder of the day.
- No student should be affected by dress code enforcement because of racial identity, sex assigned at birth, gender identity or expression, sexual orientation, ethnicity, cultural or religious identity, household income, body size/type, or body maturity.
- School staff shall not enforce the school's dress code more strictly against transgender and gender nonconforming students than other students.
- Students should not be required to display their body in front of others (students, parents, or staff) in school during dress code enforcement by staff. This includes, but is not limited to, staff instructing students to:
  - Kneel or bend over to check attire fit;
  - Measure straps or skirt length;
  - Answer questions to account for their attire in the classroom or in hallways in front of others;

These dress code guidelines shall apply to regular school days and summer school days, as well as any school-related events and activities, such as graduation ceremonies, dances and prom.

Students who feel they have been subject to discriminatory enforcement of the dress code should contact the Administrator of Equity & Student Services or filling a report using the District's Student Reporting System.

Link to video of how to report an incident using the Student Reporting System: <https://youtu.be/sRByKyigDgU>

# VISITORS / OUTSIDERS

## **Board Policy 1250**

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

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

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

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

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

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

## **AR 1250**

The Superintendent or designee shall post at the entrance to each school and school grounds a notice setting forth visitor registration requirements, hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements. (Penal Code 627.6)

Unless otherwise directed by the principal or designee, a staff member shall accompany all visitors while they are on school grounds.

## **Registration Procedure**

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

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

- a. An outside agency requesting observation of a special education student is required to have or maintain a release of information signed by the parent/guardian with educational rights on file in the school office prior to observation.

Visitors referred to in this section include parents/guardians, elected public officials, or students from other campuses.

Outsiders referred to in this section are persons other than students, parents/guardians, district employees, elected public officials, or persons on school grounds at the request of the school. (Penal Code 627.1)

### **Denial of Registration**

1. The principal or designee may refuse to register any outsider if he/she reasonably concludes that the outsider's presence or acts would disrupt the school, students, or employees; would result in damage to property; or would result in the distribution or use of a controlled substance. The principal or designee or school security officer may revoke an outsider's registration if he/she has a reasonable basis for concluding that the outsider's presence on school grounds would interfere or is interfering with the peaceful conduct of school activities or would disrupt or is disrupting the school, students or staff. (Penal Code 627.4)
2. The principal or designee may request that an outsider who has failed to register, or whose registration privileges have been denied or revoked, promptly leave school grounds. When an outsider is directed to leave, the principal or designee shall inform the outsider that if he/she reenters the school within seven days he/she will be guilty of a misdemeanor subject to a fine and/or imprisonment. (Penal Code 627.7)

### **Appeal Procedure**

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