

Comprehensive School Safety Plan

2024-25 School Year

School: North Monterey County Middle School
CDS Code: 27738256026421
District: North Monterey County Unified School District
Address: 10301 Seymour St.
Castroville, CA 95012-2606
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- with Law Enforcement
- with Fire Authority

Approved by:

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Comprehensive School Safety Plan Purpose

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

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

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

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

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

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

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

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

A copy of the Comprehensive School Safety Plan is available for review at North Monterey County Middle School.

Safety Plan Vision

North Monterey County Middle School's Safe School Mission Statement:

North Monterey County Middle School's mission is to provide a safe learning environment where staff, students, parents, and community accept the responsibility of preparing, empowering, and aspiring all students to apply knowledge, skills and attitudes necessary to become creative problem solvers, to achieve personal success and to contribute responsibly to our diverse and dynamic world. North Monterey County Middle School's environment of trust and mutual respect for all people reflects our belief that all students can learn.

NMCUSD: Ensuring that all students graduate college, career and life ready.

Components of the Comprehensive School Safety Plan (EC 32281)

North Monterey County Middle School Safety Committee

Daniel Rimmer- Principal
Areeje Hamza- Biliteracy/EL Specialist
Sally Jimenez - Campus Safety Monitor
Nallely Ponce- Bilingual Office Assistant
Jose Herrera - School Resource Officer
Carol Ortiz - Extended Learning Opportunities Director

- Division Chief, North County Fire District

Assessment of School Safety

DATA SUMMARY for the 2023-2024 School Year

Student Attendance Rate: 93%
Chronic Absenteeism Rate 26%
Rate of Unexcused Absence 34%
Suspension Rate 10%

Total Suspensions 78
Violent Incident 40
Weapon Possession 4
Illicit Drug 27
Defiance Only 5
Other 2
Total Expulsions 1

2024-25 Year to date as of February 24
Attendance rate 93.9%
Chronic Absenteeism 18%
Total Suspensions: 18

CALIFORNIA HEALTHY KIDS SURVEY

Summary 23-24
School Connectedness 38
Academic Motivation 55
Two or Fewer Absences Per Month 80
Caring Adult Relationship 37
High Expectations 51
Meaningful Participation 17
Perceived School Safety 38

Summary of Key Indicators of School Climate and Student Well Being 2022-2023

Number of students responded: 363 7th Graders, 289 8th Graders

1. Culture and Climate

Caring Adult Relationships: 39.5%
High Expectations from Adults: 53.5%
Meaningful participation for students: 16%
Promotion of parental involvement: 39%
Facilities Upkeep: 24.5%
Academic Motivation: 54%

2. School Safety and Substance Use

School perceived as very safe or safe 41%
Experienced Harassment or Bullying: 36.5 %
Experienced Cyberbullying: 33%
Had mean rumors or lies spread about you 37%
Been afraid of being beaten up 22.5%
Been in a physical fight 12.5%
Seen a weapon on campus 14%

3. Mental and Physical Health

Current electronic cigarette use 3.33%
Current alcohol or drug use 6%
Current binge drinking 2%
Very drunk or "high" 7 or more times 3%
Current cigarette smoking 1%

4. Social and Emotional Health

Experienced chronic sadness/hopelessness 34.5%
Considered Suicide: 15.5%
Social Emotional Distress 23%

ATTENDANCE

24-25
Attendance Rate 93%
Chronic Absenteeism 26%
Rates of Unexcused Absence 34%
Suspension rate 10%

Average Daily Attendance (ADA) target above 95%

ADA Year 2022-2023

Grade 7 - 93.4
Grade 8 - 92.8
All Students - 94.63

Attendance Data 2021-2022 ADA

Regular Attendance
August. 7th: 94.3% 8th: 93.6%
September: 7th: 94.4%. 8th: 93.5%
October: 7th: 95.8% 8th: 94.8%
November: 7th: 96.7% 8th: 95.3%
December" 7th: 93.9% 8th: 93.7%
Total: 7th: 95.0% 8th: 94.2%

DATA ANALYSIS (Based on 2021-2022 available data)

Areas of accomplishments as perceived by students, staff, and parents:

1. 61% of 7th graders and 59% of 8th graders agree or strongly agree that they are academically motivated
2. 64% of students responded that their teachers have high expectations of them
3. 92% of students feel safe or do not feel unsafe at school

Areas of concern as perceived by students, parents, and staff:

1. 28% of students report that school is worthless and a waste of time
2. 89% of students feel that they do not have opportunities for meaningful participation.
3. 32% of students have experienced chronic sadness/hopelessness
4. 28% of students experienced bullying or harassment

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

North Monterey County Middle School strives to provide a safe, inclusive and positive learning environment for all students and staff. Our comprehensive school safety plan is reviewed and updated annually with input from staff, students, parents, community members, campus safety monitors, our School Safety Officer (SRO), our Site Safety Team/Site Safety Advisory Committee and our local fire department. Our school safety plan includes emergency protocols and procedures, vital student roster health information, emergency contact information, emergency drill and evacuation information, threat assessment policies and procedures, and our school's discipline and school conduct policies.

All teachers and staff receive training in MTSS strategies, threat assessment, mandated reporting, sexual harassment policies, suicide awareness, and emergency practice drills.

Parents are provided with the following information in their home language : An annual notification document which includes information on emergency protocols, school site rules and regulations (parent and student handbook) and how to access District and site websites, the Blackboard communication app and district approved social media outlets. Additionally, parents are invited to attend meetings, workshops and trainings on topics that include: positive discipline, mental health services, child advisory committees, SEL (Social Emotional Learning) parenting series, drug and tobacco awareness prevention, how to access student supports, and on what to expect in the event of an emergency.

The safety and security of our students and staff are our highest priority. Protocols and practices for student and staff safety for all school programs include: District staff monitoring of student arrivals, daily attendance taken in all classes, attendance calls home for students who are not in attendance, staff use of radios and intercom to communicate emergencies, District staff monitoring of site and students during lunch/break times, transition times, and during end of school day departure time. Every staff member has emergency procedure plans, evacuation maps, and an emergency phone list. Visitors to campus do not have access to classrooms and must check in at the main office for admittance. Access to classroom areas requires admittance through locked doors or gates. The site also has an Emergency Response Team for responding to low level incidents and emergencies on the site and staff are trained in their role and to communicate to the main office or administration for support. The middle school also has 30 security cameras which were installed in summer 2023.

The administration, certificated staff, classified staff, parents, students, SRO (School Resource Officer) and School Site Council review and provide input to improve site safety policies on an annual basis. The current discipline policy at NMCMS is available on the school's website and in the student handbook. Dress code, anti-social behavior, bullying, verbal harassment, threats, and the use of digital equipment with negative intent, sexual harassment, fighting, and hazing are all covered by our policy, as are the consequences and prevention/intervention support. During the first week of school and/or at the time of enrollment, we explicitly share our discipline policy and school rules with students and parents.

North Monterey County Middle School also has an MTSS team that meets on a weekly basis to match tiered supports to students in need of assistance.

As part of our Tier 1 interventions and practices, teachers implement a social emotional curriculum, Second Steps, during exploratory courses. Teachers also complete a universal screener, known as the DESSA, twice a year. This screener helps to identify students in need of social emotional supports. Our student leadership class, led by our Associated Student Body director provide engaging lunchtime student activities, as well as community events, such as movie nights. Our NEST coordinator provides before and after school supervision to students and also hosts a lunchtime Unity Club, which provides a safe place for students who identify as LGBTQ+.

Out Tier 2 interventions are intended for students who need more support and/or guidance. Tier 2 supports may include: Check-In, Check-Out, social skills groups, mentors, group counseling sessions, behavior contracts and use of Wellness Centers and/or calming rooms. Students receiving Tier 3 interventions receive progress monitoring in a frequency based on the specific intervention being used. Decisions regarding appropriate progress monitoring tools are made at an MTSS and/or SST meeting.. In addition to the MTSS program the school employs health support staff, two academic counselors, a behavior specialist, one behavior technician, a school psychologist, a drug and alcohol counselor, and a mental health counselor.

The Student Engagement Specialist and the Athletic Director provide supplemental activities to encourage parent participation and involvement. These supplemental activities can consist of attendance celebrations, lunchtime activities, sports tournaments and award banquets. The athletic director is responsible for compiling emergency contacts for each student on a team, training coaches on emergency protocols, providing rosters for our Safety binder, and compiling a list of authorized adults for transporting students to and from sporting events.

The school facility houses a preschool program run by Monterey County Office of Education on site with hours varying 8AM-3PM. The classroom program staff carry a 2-way radio for communication with the front office for safety. Staff in the preschool program monitor visitors on campus and adhere strictly to student release policies. All parents are screened before entering the preschool classroom for pick-up. Students may only be released to adults who are listed as primary caregiver or in their Emergency Contacts.

After-School Activity Program

The school operates an After School Program; Nurture, Educate, Socialize, Thrive (NEST) .Students are scheduled into classes and attendance is taken daily so that students are accounted for. Staff in these two programs monitor visitors on campus and adhere strictly to student release policies. The staff of the program all carry two-way radios and can be contacted both for a release of students for pick-up and in any emergency situation. Students may only be released to adults who are listed as primary caregiver or in their Emergency Contacts.

Students with Functional Needs

A list of students with functional needs/supporting staff and evacuation plans is located within the emergency management binder at the school site. Each classroom teacher, staff, students, parents of those identified students is informed of the evacuation plan and those plans are updated yearly as necessary. Based upon students' specific needs, they will be provided with assistance during the disaster/emergency event in order to remain safe. Staff in assigned classrooms have two-way communication radios that allows them to communicate amongst the teams of adults working with our functional needs students. The office staff is also part of the two-way communication system.

Elements of the Action Plan focus on the areas of:

a.) People and Programs: Meaningful Student Participation

Finding ways to best incorporate current adult supports to create opportunities for students to positively connect with one another as well as staff members.

b.) Ensuring a Safe and Orderly Environment: Safe School Environment

To help maintain a safe and orderly school environment conducive to learning, North Monterey County Middle School will continue to develop the emergency response protocol and staff trainings to provide emergency preparedness and response instructions, information, and guidelines to protect the safety and well-being of students and staff at the time of an emergency.

c.) People and Places: Create a safe, inclusive and welcoming learning environment that supports the social emotional learning and well being of students.

Recalibrate expectations of in classroom tiered supports and increase the implementation of social emotional screeners and Tier 1 social emotional curriculum.

10/22/2024: School Site Joint Safety Committee Meeting reviewed data and provided recommendations for School Safety Plan

11/21/2024: SSC reviewed data and provided recommendations for School Safety Plan

10/4/23 : Staff meeting to review data and make recommendations

2/27/25 : SSC council Safety Plan Review and Approval

3/13/25: Board Approval

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

North Monterey Co USD | BP 5141.4 Students Child Abuse Prevention And Reporting

Original Adopted Date: 02/22/2018 | Last Revised Date: 07/22/2021 | Last Reviewed Date: 07/22/2021

Status: ADOPTED

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

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

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools) (cf. 5141.5 - Mental Health)

(cf. 5141.6 - School Health Services)

(cf. 6164.2 - Guidance/Counseling Services)

Child Abuse Prevention

The district's instructional program may provide age-appropriate and culturally sensitive child abuse prevention curriculum which explains students' right to live free of abuse, includes instruction in the skills and techniques needed to identify unsafe situations and react appropriately and promptly, informs students of available support resources, and teaches students how to obtain help and disclose incidents of abuse.

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

The district's program also may include age-appropriate curriculum in sexual abuse and sexual assault awareness and prevention. Upon written request of a student's parent/guardian, the student shall be excused from taking such instruction. (Education Code 51900.6)

The Superintendent or designee may display posters, in areas on campus where students frequently congregate, notifying students of the appropriate telephone number to call to report child abuse or neglect. (Education Code 33133.5)

In addition, student identification cards for students in grades 7-12 shall include the National Domestic Violence Hotline telephone number. (Education Code 215.5)

(cf. 5142 - Safety)

The Superintendent or designee shall, to the extent feasible, seek to incorporate community resources into the district's child abuse prevention programs and may use these resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

Policy 5141.4: Child Abuse Prevention And Reporting

Child Abuse Reporting

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

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

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

Procedures for reporting child abuse shall be included in the district and/or school comprehensive safety plan. (Education Code 32282)

(cf. 0450 - Comprehensive Safety Plan)

District employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect.

The Superintendent or designee shall provide training regarding the duties of mandated reporters as required by law and as specified in the accompanying administrative regulation. (Education Code 44691; Penal Code 11165.7)

Regulation 5141.4: Child Abuse Prevention And Reporting

Original Adopted Date: 02/22/2018 | Last Revised Date: 07/22/2021 | Last Reviewed Date: 07/22/2021

Status: ADOPTED

Definitions

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

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

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

(cf. 5145.7 - Sexual Harassment)

Child abuse or neglect does not include:

1. A mutual affray between minors (Penal Code 11165.6)

2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of employment (Penal Code 11165.5, 11165.6)

(cf. 3515.3 - District Police/Security Department)

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

4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, for purposes of self-defense, or to obtain weapons or other dangerous objects within the control of a student (Education Code 49001)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5144 - Discipline)

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

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

(cf. 6142.7 - Physical Education and Activity) (cf. 6145.2 - Athletic Competition)

6. Homelessness or classification as an unaccompanied minor (Penal Code 11165.15)

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

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

Reportable Offenses

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

Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on evidence of severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the appropriate agency. (Penal Code 11165.9, 11166.05, 11167)

Any district employee who reasonably believes to have observed the commission of a murder, rape, or lewd or lascivious act by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury against a victim who is a child under age 14 shall notify a peace officer. (Penal Code 152.3, 288)

Responsibility for Reporting

The reporting duties of mandated reporters are individual and cannot be delegated to another person. (Penal Code 11166)

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, the report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report. (Penal Code 11166)

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

Any person not identified as a mandated reporter who has knowledge of or observes a child whom the person knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to the appropriate agency. (Penal Code 11166)

(cf. 1240 - Volunteer Assistance)

Reporting Procedures

1. Initial Telephone Report

Immediately or as soon as practicable after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to any police department (excluding a school district police/security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department. (Penal Code 11165.9, 11166)

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

1000 S, Main Street, Suite 301

(831) 755-4661 or 1800-606-6618

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

2. Written Report

Within 36 hours of knowing or observing the information concerning the incident, the mandated reporter shall prepare and either send, fax, or electronically transmit to the appropriate agency a written follow-up report, which includes a completed California Department of Justice (DOJ) form (BCIA 8572). (Penal Code 11166, 11168)

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

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

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

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

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

3. Internal Reporting

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

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

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

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

Training

Within the first six weeks of each school year, or within the first six weeks of employment if hired during the school year, the Superintendent or designee shall provide training on mandated reporting requirements to district employees and persons working on their behalf who are mandated reporters. (Education Code 44691; Penal Code 11165.7) (cf. 4131 - Staff Development) (cf. 4231 - Staff Development) (cf. 4331 - Staff Development)

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

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

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

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

Victim Interviews by Social Services

Whenever CDSS or another government agency is investigating suspected child abuse or neglect that occurred within the child's home or out-of-home care facility, the student may be interviewed by an agency representative during school hours, on school

premises. The Superintendent or designee shall give the student the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the student. (Penal Code 11174.3)

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

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

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

Release of Child to Peace Officer

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

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

Parent/Guardian Complaints

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

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

(cf. 1312.1 - Complaints Concerning District Employees)

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

In addition, if the child is enrolled in special education, a separate complaint may be filed with the California Department of Education pursuant to 5 CCR 3200-3205.

Notifications

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

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

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

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

The Superintendent or designee also shall notify all employees that:

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

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

Disaster Plan (See Appendix C-F)

Detailed procedures/roles/responsibilities stating what needs to be done when a natural/environmental/manmade disaster occurs can be found under Incident Command, IC Team Responsibilities, Emergency Response Guidelines, and Specific Emergency Plans.

Students with Functional Needs:

A list of students with functional needs/supporting staff and evacuation plans is located within the emergency management binder at the school site. Each classroom teacher, staff, students, parents of those identified students are informed of the evacuation plan and those plans are updated yearly as necessary. Based upon students' specific needs, they will be provided with assistance during the disaster/emergency event in order to remain safe. Staff in assigned classrooms have two-way radios / walkie-talkies that allows them to communicate amongst the teams of adults working with our functional needs students. The office staff is also part of the two-way communication system.

North Monterey Co USD | AR 3516.3 Business and Noninstructional Operations Earthquake Emergency Procedure System

Earthquake Preparedness

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

(Education Code 32282)

(cf. 0450 - Comprehensive Safety Plan)

Note: Government Code 8607 and 19 CCR 2400-2450 require districts to be prepared to respond to emergencies using the Standardized Emergency Management System (SEMS). Districts should also integrate the SEMS with the National Incident Management System, and may contact their local emergency management agency for further assistance. See BP/AR 3516 - Emergencies and Disaster Preparedness Plan.

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

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

Note: The California Governor's Office of Emergency Services (Cal OES) offers a number of publications that may assist the district in surveying school facilities and outside areas for potential earthquake hazards.

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

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

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

1. A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of students and staff
2. A drop procedure whereby each student and staff member takes cover under a table or desk, dropping to his/her knees, with the head protected by the arms and the back to the windows

Note: Education Code 32282 requires regular practice of drop procedures in accordance with the timelines specified below. The following paragraph may be revised to reflect the grade levels offered by the district.

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

3. Protective measures to be taken before, during, and following an earthquake
4. A program to ensure that students and staff are aware of and properly trained in the earthquake emergency procedure system
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

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

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

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

Note: The following optional paragraph is for use by any district with a school near the coastline making it susceptible to the risk of a tsunami after an earthquake has occurred.

The Superintendent or designee shall consider the danger of a post-earthquake tsunami when developing evacuation routes and locations, including the need to evacuate to higher ground.

The Superintendent or designee shall identify at least one individual within each building to determine if an evacuation is necessary, the best evacuation location, and the best route to that location when an earthquake occurs.

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

Earthquake While Indoors at School

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

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

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

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

Note: In The ABCs of Post-Earthquake Evacuation: A Checklist for School Administrators and Faculty, the Cal OES advises that evacuation should never be automatic as there may be as much danger outside the facility as inside, planned routes may not be clear, and lighting inside the building may be shut off.

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

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

Earthquake While Outdoors on School Grounds

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

1. Staff shall direct students to walk away from buildings, trees, overhead power lines, power poles, or exposed wires.
2. Staff shall have students perform the drop procedure.
3. Staff shall have students stay in the open until the earthquake is over or until further directions are given.

Earthquake While on the Bus

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

(cf. 3543 - Transportation Safety and Emergencies)

Subsequent Emergency Procedures

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

1. Staff shall extinguish small fires if safe.
2. Staff shall provide first aid to any injured students, take roll, and report missing students to the principal or designee.
3. Staff and students shall refrain from lighting any stoves or burners or operating any electrical switches until the area is declared safe.
4. All buildings shall be inspected for water and gas leaks, electrical breakages, and large cracks or earth slippage affecting buildings.
5. The principal or designee shall post staff at safe distances from all building entrances and instruct staff and students to remain outside the buildings until they are declared safe.
6. The principal or designee shall request assistance as needed from the county or city civil defense office, fire and police departments, city and county building inspectors, and utility companies and shall confer with them regarding the advisability of closing the school.
7. The principal or designee shall contact the Superintendent or designee and request further instructions after assessing the earthquake damage.
8. The Superintendent or designee shall provide updates to parents/guardians of district students and members of the community about the incident, any safety issues, and follow-up directions.

(cf. 1112 - Media Relations)

Legal Reference:

EDUCATION CODE

32280-32289 School safety plans GOVERNMENT CODE

3100 Public employees as disaster service workers

8607 Standardized Emergency Management System CODE OF REGULATIONS, TITLE 19

2400-2450 Standardized Emergency Management System Management Resources:

CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES PUBLICATIONS

The ABCs of Post-Earthquake Evacuation: A Checklist for School Administrators and Faculty Guide and Checklist for Nonstructural Earthquake Hazards in California Schools, January 2003 School Emergency Response: Using SEMS at Districts and Sites, June 1998

WEB SITES

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

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

California Seismic Safety Commission: <http://www.seismic.ca.gov>

Federal Emergency Management Agency: <http://www.fema.gov/hazards/earthquakes> National Incident Management System: <http://www.fema.gov/emergency/nims>

Regulation NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT

Comprehensive School Safety Plan 30 of 92 2/14/21

approved: February 22, 2018 Moss Landing, California

Public Agency Use of School Buildings for Emergency Shelters

The school site is ready to assist with all Emergency Operations by Monterey County on our school facility. This emergency preparedness is in alignment with the Emergency Operations Agreement with Monterey County and NMCUSD to provide Emergency Shelters. The site administrator will work with the Director of Facilities and Assistant Superintendent for Student and Family Services and Emergency Operations staff to coordinate the use of the school facility for Emergency Shelters and other county emergencies. Our current Emergency Operations Agreement with Monterey County was board approved on 1/28/2021.

Board Policy 3516 Emergencies and Disaster Preparedness Plan

The Board of Trustees recognizes that all district staff and students must be prepared to respond quickly and responsibly to emergencies, disasters, and threats of disaster. The district shall take all reasonable steps to prevent and/or mitigate the impact of a disaster on district students, staff, and schools.

The Superintendent or designee shall develop and maintain a disaster preparedness plan which contains routine and emergency disaster procedures, including, but not limited to, earthquake emergency procedures, and adaptations for individuals with disabilities in accordance with the Americans with Disabilities Act. Such procedures shall be incorporated into the comprehensive school safety plan. (Education Code 32282)

(cf. 0400 - Comprehensive Plans)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3516.3 - Earthquake Emergency Procedure System)

In developing the disaster preparedness plan, the Superintendent or designee shall involve district staff at all levels, including administrators, district police or security officers, facilities managers, transportation managers, food services personnel, school psychologists, counselors, school nurses, teachers, classified employees, and public information officers. As appropriate, he/she shall also collaborate with law enforcement, fire safety officials, emergency medical services, health and mental health professionals, parents/guardians, and students.

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 3513.3 - District Police/Security Department)

The Plan shall comply with state-approved Standardized Emergency Management System (SEMS) guidelines established for multiple-jurisdiction or multiple-agency operations and with the National Incident Management System.

The Superintendent or designee shall provide training to employees regarding their responsibilities, including periodic drills and exercises to test and refine staff's responsiveness in the event of an emergency.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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

(cf. 1330 - Use of School Facilities)

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

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

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

Legal Reference:

EDUCATION CODE

32001 Fire alarms and drills
32040 Duty to equip school with first aid kit
32280-32289 School safety plans
32290 Safety devices
39834 Operating overloaded bus
46390-46392 Emergency average daily attendance in case of disaster
49505 Natural disaster; meals for homeless students; reimbursement

CIVIL CODE

1714.5 Release from liability for disaster service workers and shelters

GOVERNMENT CODE

3100-3109 Public employees as disaster service workers; oath or affirmation
8607 Standardized emergency management system

CALIFORNIA CONSTITUTION

Article 20, Section 3 Oath or affirmation

CODE OF REGULATIONS, TITLE 5

550 Fire drills
560 Civil defense and disaster preparedness plans

CODE OF REGULATIONS, TITLE 19

2400-2450 Standardized emergency management system

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Crisis Response Box, 2000

CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES PUBLICATIONS

Active Shooter Awareness Guidance, February 2018
State of California Emergency Plan, 2017
School Emergency Response: Using SEMS at Districts and Sites, June 1998

FEDERAL EMERGENCY MANAGEMENT AGENCY PUBLICATIONS

National Incident Management System, 3rd ed., October 2017

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Guide for Developing High-Quality School Emergency Operations Plans, 2013

GOVERNOR'S OFFICE OF EMERGENCY SERVICES

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

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

WEB SITES

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

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

California Attorney General's Office: <https://oag.ca.gov>

California Department of Education, Crisis Preparedness: <http://www.cde.ca.gov/ls/ss/cp>

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

California Seismic Safety Commission: <http://www.seismic.ca.gov>
Centers for Disease Control and Prevention: <http://www.cdc.gov>
Federal Emergency Management Agency: <http://www.fema.gov>
U.S. Department of Education, Emergency Planning: <http://www2.ed.gov/admins/lead/safety/crisisplanning.html>
U.S. Department of Homeland Security: <http://www.dhs.gov>

Policy: NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT adopted: August 23, 2018 Moss Landing, California

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Policy 5144.1: Suspension And Expulsion/Due Process

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

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 the 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 the student's 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 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.

Original Adopted Date: 11/15/2018 | Last Revised Date: 04/09/2021 | Last Reviewed Date: 04/09/2021
Status: ADOPTED

Regulation 5144.1: Suspension And Expulsion/Due Process

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 and in the sections "Additional Grounds for Suspension and Expulsion: Grades 4-12" and "Additional Grounds for Suspension and Expulsion: Grades 9-12" below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code 48900(a) and (t))
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b))
3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c))
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property (EducationCode48900(f))
7. Stole or attempted to steal school property or private property (Education Code 48900(g))
8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing prescription products (Education Code 48900(h))
9. Committed an obscene act or engaged in habitual profanity or vulgarity (EducationCode48900(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 (EducationCode48900(l))
12. Possessed an imitation firearm (EducationCode48900(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 PenalCode261,266c,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 (EducationCode 48900(p))
16. Engaged in, or attempted to engage in, hazing (EducationCode48900(q))
17. Engaged in an act of bullying (EducationCode48900(r))

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))

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

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

Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi- nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. Cyber sexual bullying

does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

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

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

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

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

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

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

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

Additional Grounds for Suspension and Expulsion: Grades 4-12

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

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

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

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

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

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

Additional Grounds for Suspension and Expulsion: Grades 9-12

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

Suspension from Class by a Teacher

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

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

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

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

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

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

Suspension by Superintendent, Principal or Principal's Designee

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

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

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

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

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

Length of Suspension

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

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

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

Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Suspension by the Board

The Board may suspend a student for any of the acts listed under "Grounds for Suspension and Expulsion: Grades K- 12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," and "Additional Grounds for Suspension and Expulsion: Grades 9-12" above and within the limits specified under "Suspension by Superintendent, Principal, or Designee" above. (Education Code 48912)
The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

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

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

On-Campus Suspension

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

1. The on-campus suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The on-campus suspension classroom shall promote completion of school work and tests missed by the student during the suspension.
4. The student shall be responsible for contacting the student's 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, the Superintendent or principal 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 or other medication prescribed by a physician

4. Robbery or extortion

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

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

Student's Right to Expulsion Hearing

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

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

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

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

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

Stipulated Expulsion

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

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

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

Rights of Complaining Witness

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

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

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

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

Written Notice of the Expulsion Hearing

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

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

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

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

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

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

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

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

1. 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))

2. 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))

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

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

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

4. 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 titled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during the testimony.
 - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
 - d. The person presiding over the hearing may remove a support person who is disrupting the hearing.
 - e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
 - f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
 - g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
 - i. The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - ii. At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which the complaining witness may leave the hearing room.
 - iii. The person conducting the hearing may:
 - A. Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
 - B. Limit the time for taking the testimony of a complaining witness to normal school hours, if there is no good cause to take the testimony during other hours
 - C. Permit one of the support persons to accompany the complaining witness to the witness stand
5. Decision: The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from school, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

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

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

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

classroom instructional program from which the student's expulsion referral was made. The decision to not recommend expulsion shall be final. (Education Code 48918(e))

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

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

Final Action by the Board

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

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

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

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

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

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

Written Notice to Expel

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," or "Additional Grounds for Suspension and Expulsion: Grades 9-12" (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board (EducationCode48918)

4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)

5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision to Suspend Expulsion Order

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

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

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

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

2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)

3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," or "Additional Grounds for Suspension and Expulsion: Grades 9-12" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)

4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)

5. Upon satisfactory completion of their habilitation assignment, the Board shall reinstate the student in district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)

6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))

7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code 48917)

Appeal

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

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

Notification to Law Enforcement Authorities

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

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

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

Placement During Expulsion

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

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

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

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

Readmission After Expulsion

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

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

Original Adopted Date: 11/15/2018 | Last Revised Date: 04/09/2021 | Last Reviewed Date: 02/27/2025
Status: ADOPTED

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

Regulation 4158: Employee Security

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

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

An employee shall promptly report to the principal or other immediate supervisor any attack, assault, or physical threat made against the employee by a student or by any other individual in relation to the performance of the employee's duties, and any action the employee took in response. Reports of an attack, assault, or threat shall be forwarded immediately to the Superintendent or designee.

(cf. 3515.2 - Disruptions)

In addition, the employee and the principal or other immediate supervisor shall promptly report to local law enforcement authorities an attack, assault, or physical threat made against the employee by a student. (Education Code 44014)

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

Notice Regarding Student Offenses

When a student commits certain offenses that may endanger staff or others, the following procedures shall be implemented to notify staff members as appropriate:

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)

(cf. 5125 - Student Records)

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

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)

In order to maintain confidentiality when providing information about student offenses to a counselor or teacher the principal or designee shall send the staff member a written notification that a student has committed an offense that requires review of a student's file in the school office. This notice shall not name or otherwise identify the student. The staff member shall initial the notification and shall also initial the student's file when reviewing it in the school office.

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)

Use of Pepper Spray

The Superintendent or designee shall notify employees of the district's policy prohibiting the possession of pepper spray on school property or at school-related activities without prior approval of the Superintendent or designee. Employees wishing to carry pepper spray shall submit to the Superintendent or designee a written request setting forth the need for the pepper spray. The Superintendent or designee shall notify the employee in writing as to whether the request was approved or denied.

When approving an employee's request, the Superintendent or designee shall inform the employee of the following conditions:

1. The pepper spray shall be used only in self-defense pursuant to Penal Code 22810.
2. An employee who uses pepper spray other than in self-defense shall be subject to disciplinary action by the district and, in accordance with law, a fine and/or imprisonment.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

3. The pepper spray must be stored in a secure place and not be accessible to students or other individuals. Negligent storage of the pepper spray may subject the employee to disciplinary action.

Original Adopted Date: 08/09/2018 | Last Revised Date: 07/22/2021 | Last Reviewed Date: 02/27/2025

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

Policy 5145.3: Nondiscrimination/Harassment

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

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 5131 - Conduct) (cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate) (cf. 5145.7 - Sexual Harassment) (cf. 5145.9 - Hate-Motivated Behavior)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6164.6 - Identification and Education Under Section 504)

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

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

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

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

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. He/she shall provide training and information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. He/she shall report his/her findings and recommendations to the Board after each review.

(cf. 1312.3 - Uniform Complaint Procedures) (cf. 1330 - Use of Facilities)
(cf. 4131 - Staff Development) (cf. 4231 - Staff Development) (cf. 4331 - Staff Development) (cf. 6145 - Extracurricular and Ccurricular Activities) (cf. 6145.2 - Athletic Competition)
(cf. 6164.2 - Guidance/Counseling Services)

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

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

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.21/4219.21/4319.21 - Professional Standards) (cf. 4218 - Dismissal/Suspension/Disciplinary Action) (cf. 5144 - Discipline)

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

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)) (cf. 5145.2 - Freedom of Speech/Expression)

Record-Keeping

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

(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48900.3 Suspension or expulsion for act of hate violence 48900.4 Suspension or expulsion for threats or harassment 48904 Liability of parent/guardian for willful student misconduct 48907 Student exercise of free expression

48950 Freedom of speech 48985 Translation of notices 49020-49023 Athletic programs

51500 Prohibited instruction or activity 51501 Prohibited means of instruction 60044 Prohibited instructional materials CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor GOVERNMENT CODE 11135 Nondiscrimination in programs or activities funded by state PENAL CODE

422.55 Definition of hate crime

422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

432 Student record

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs UNITED STATES CODE, TITLE 20 1681-1688 Title IX of the Education Amendments of 1972

12101-12213 Title II equal opportunity for individuals with disabilities UNITED STATES CODE, TITLE 29 794 Section 504 of Rehabilitation Act of 1973 UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended 2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age Discrimination Act of 1975 CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints CODE OF FEDERAL REGULATIONS, TITLE 34

99.31 Disclosure of personally identifiable information

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

104.7 Designation of responsible employee for Section 504

8. Designation of responsible employee for Title IX

9. Notification of nondiscrimination on basis of sex

110.25 Prohibition of discrimination based on age COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567 Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

Management Resources:

CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016
CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS
Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

FIRST AMENDMENT CENTER PUBLICATIONS

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006 U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016 Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Harassment and Bullying, October 2010 Notice of Non-Discrimination, Fact Sheet, August 2010

Original Adopted Date: 02/22/2018 | Last Revised Date: 06/14/2018 | Last Reviewed Date: 06/14/2018

Regulation 5145.3: Nondiscrimination/Harassment

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 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, medical condition, 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)

Katie Balestri, Senior Director, Human Resources 8142 Moss Landing Road, Moss Landing 95039 (831) 633-3343 ext. 1220

Katie_Balestri@nmcusd.org

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 in 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 for 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 location on the district web site in a manner that is easily accessible to parents/guardians and students 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 under Title IX, which shall include:

i. An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations

ii. An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's web site

iii. A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office

d. A link to the Title IX information included on the California Department of Education's (CDE) web site

5. Post a link to statewide CDE-compiled resources, including community-based organizations, 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.

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. 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. 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/or 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.

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 the student knew was not true

Process for Initiating and Responding to Complaints

Students who feel that they have been subjected to unlawful discrimination described above or in district policy are strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, students who observe any such incident are 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 report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, the principal or compliance officer shall notify the student or parent/guardian of the right to file a formal complaint in accordance with AR 1312.3 - Uniform Complaint Procedures or, for complaints of sexual harassment that meet the federal Title IX definition, AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.

Once notified verbally or in writing, the 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.

Issues Unique to Intersex, Nonbinary, 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, 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.

Intersex student means a student with natural bodily variations in anatomy, hormones, chromosomes, and other traits that differ from expectations generally associated with female and male bodies.

Nonbinary student means a student whose gender identity falls outside of the traditional conception of strictly either female or male, regardless of whether or not the student identifies as transgender, was born with intersex traits, uses gender-neutral pronouns, or uses agender, genderqueer, pangender, gender nonconforming, gender variant, or such other more specific term to describe their gender.

Transgender student means a student whose gender identity is different from the gender assigned at birth.

The district prohibits 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, regardless of whether the acts are sexual in nature. 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 the student's gender identity
2. Disciplining or disparaging a student or excluding the student from participating in activities, for behavior or appearance that is consistent with the student's 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 the student's gender identity
4. Taunting a student because the student participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's gender identity to individuals who do not have a legitimate need for the information, without the student's consent
6. Using gender-specific slurs
7. Physically assaulting a student motivated by hostility toward the student because of the student's gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) or Title IX sexual harassment procedures (AR 5145.71), as applicable, shall be used to report and resolve complaints alleging discrimination against intersex, nonbinary, 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 gender identity, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that intersex, nonbinary, 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 intersex, nonbinary, transgender, or gender-nonconforming status is the student's private information. The district shall develop strategies to prevent unauthorized disclosure of students' private information. Such strategies may include, but are not limited to, collecting or maintaining information about student gender only when relevant to the educational program or activity, protecting or revealing a student's gender identity as necessary to protect the health or safety of the student, and keeping a student's unofficial record separate from the official record.

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 intersex, nonbinary, 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 the employee 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 the student's status as an intersex, nonbinary, 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 intersex, nonbinary, transgender, or gender-nonconformity status or gender identity or gender expression to the student's 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 gender identity and begin to treat the student consistent with that 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, the student's parents/guardians to identify and develop strategies for ensuring that the student's access to educational programs and activities is maintained. The meeting shall discuss the intersex, nonbinary, 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 the student's status as an intersex, nonbinary, 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 the student's 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, 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 the student is intersex, nonbinary, transgender, or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with the student's 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 the student's gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.

5. Student Records: Upon each student's enrollment, the district is required to maintain a mandatory permanent student record (official record) that includes the student's gender and legal name.

A student's legal name as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. A student's gender as entered on the student's official record required pursuant to 5 CCR 432 shall only be changed with written authorization of a parent/guardian having legal custody of the student. (Education Code 49061)

However, when proper documentation or authorization, as applicable, is not submitted with a request to change a student's legal name or gender, any change to the student's record shall be limited to the student's unofficial records such as attendance sheets, report cards, and school identification.

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronoun(s) consistent with the student's gender identity, without the necessity of a court order or a change to the student's 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 the student's gender identity, subject to any dress code adopted on a school site.

Original Adopted Date: 02/22/2018 | Last Revised Date: 02/10/2022 | Last Reviewed Date: 02/27/2025

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

All apparel must comply with North Monterey County Unified School District Dress Code. The dress code shall be in effect at all school-related activities both on and off campus, including, but not limited to, activities such as dances, award ceremonies, field trips, and athletic events.

The Board shall authorize school regulations that prohibit student dress or grooming practices which:

1. Present a hazard to the health or safety of the student himself or others in the school.
2. Cause excessive wear or damage to school property
3. Prevent the student from achieving his/her own educational objectives because of blocked vision or restricted movement.
4. Clothing or styles used by some students to identify groups or gangs whose purpose is to intimidate or harass.
5. Distract from or otherwise impede the learning process because of their extreme style (i.e. piercing, unnatural hair color) or attire that is too revealing.

Guidelines for Dress Code

The following guidelines shall apply to all regular school activities: Where some schools have adopted a school uniform policy – additional information will be provided.

1. Shoes must be worn at all times, on campus and at school functions Sandals must have heel straps. Thongs or backless shoes or sandals are not acceptable
2. Clothing, jewelry and personal items (backpacks, fanny packs, gym bags, water bottles etc.) shall be free of writing, pictures or any other insignia which are crude, vulgar, profane or sexually suggestive, which bear drug, alcohol or tobacco company advertising, promotions and likenesses, or which advocate racial, ethnic or religious prejudice
3. Hats, caps and other head coverings shall not be worn indoors (except for religious beliefs) The only acceptable headwear is official Condor hats and beanies and solid black, grey, or white beanies without a logo.
4. Clothes shall be sufficient to conceal undergarments at all times. See-through or fish-net fabrics, halter tops, off-the-shoulder or low-cut tops, bare midriffs and skirts or shorts shorter than mid-thigh are prohibited
5. Gym shorts may not be worn in classes other than physical education
6. Hair styles which draw undue attention and detract from the educational environment are not acceptable; i.e. unusual designs, colors, Mohawks, tails, or unusual razor cuts
7. Hair shall be clean and neatly groomed. Hair may not be sprayed by any coloring that would drip when wet.
8. Attire which may be used as a weapon may not be worn, including but not limited to steel toed boots, chains, items with spikes or studs, and other items deemed inappropriate by the principal and/or school site council
9. Administrative exceptions may be made in regard to grooming and dress. These exceptions, verified by the administrator, shall include (but will not be limited to):
 - a. Sincerely held religious beliefs
 - b. Valid medical reasons

NMCMS Dress Code As Written:

No visible undergarments at any time.

Skin may not be visible above mid-thigh (ripped jeans & shorts must follow this rule).

No garments that reveal a midriff or excessive amounts of bare skin. All shirt straps should be larger than three fingers wide.

Garments that are predominantly navy/dark blue (except denim) or garments that are predominantly solid red/maroon/burgundy are not permitted. Clothing accessories (shoes, shoelaces, jewelry, belts, etc.) may not be red or blue.

No gang-related items (bandanas, belts, suspenders, jewelry, hats, or other clothing/items that by its color, arrangement, trademark, or symbol denotes membership in a gang) or grooming that denotes gang activities (items that identify area codes or items with following logos: SOCAL, NORCAL, CENTRAL VALLEY, THE VILLE).

No chains or belt buckles with letters.

No sports team logos and jerseys, including local teams.

No obscene, vulgar, discriminatory (including race, gender, class, orientation), sexualized images of either gender, or any other inappropriate words or graphics on clothing, buttons, backpacks, binders, and/or other items.
No drug, alcohol, or tobacco-related logos, slogans, brand names, or references.
No hats, caps, head wraps, beanies, or other head apparel during the school day, unless that head apparel is part of a student's customary religious attire. The only exception to this is official North County Middle School hats and beanies purchased from the student store.
Hoods are to remain off at all times during class. This includes outdoors during PE class.
No sleeping attire (including blankets, pajamas and slippers).
No sunglasses unless prescribed by a physician.
No open-toe shoes, sandals, or slippers. All shoes must have heel straps. All students must bring appropriate athletic shoes daily for use in Physical Education classes.
Administration reserves the right to make adjustments to the school dress code during the school year based on the needs of the school.

10. Gangs... Clothing, headgear, and symbols related to gang activities is prohibited (i.e. tags, logos, insignias, bandannas, buckles, college sport and professional team attire or city names)

Gang-Related Apparel

The principal, staff and parents/guardians, in collaboration with local law enforcement, participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that North Monterey County Unified School District reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282, BP# 5132)

Consequences of Dress and Grooming Code Violations

Standard Violations: Persistent violations of this regulation or locally adopted supplemental regulations shall be considered to be willful defiance of directives under Education Code section 48900(k). As such for multiple violations, students will be subject to discipline as follows:

First Violation: The student will be required to change clothing, hair style or cosmetic and the item(s) will be confiscated and held until the end of day. The student will be provided the option to change into a school approved clothing item or call home for a change of clothes.

Second Violation: The student will be required to change clothing, hair style or cosmetic and the item(s) will be confiscated and held until the end of day. The student will be provided the option to change into a school approved clothing item or call home for a change of clothes. Site administration (or designee) will offer an alternative to suspension and require a parent meeting should the student not comply with changing their clothing, hair style or cosmetic.

Third Violation: The student will be required to change clothing, hair style or cosmetic and the item(s) will be confiscated and held until the end of day. The student will be provided the option to change into a school approved clothing item or call home for a change of clothes. Parent or guardian must pick up the confiscated item. Site administration (or designee) will offer an alternative to suspension and require a parent meeting should the student not comply with changing their clothing, hair style or cosmetic.

Fourth Violation: Further disciplinary action, up to and including a behavior contract and/or suspension will be considered.

If a parent/guardian or student disagrees with the site administrator's decision on a standard violation, the parent/guardian or student may attempt to resolve the problem by requesting a personal conference with the site administrator.

Dangerous or Disruptive Violations

Dress and grooming violations that cause actual disruption of the educational environment, result in actual violation of law or other school rules, including hate-crime laws, or cause actual injury may result, is the discretion of the District Administration, in more serious disciplinary action, up to and including expulsion without regard to the steps set forth above for standard violations.

Policy 5132: Dress And Grooming

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

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

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

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

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

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

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

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

Gang-Related Apparel

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

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

Uniforms

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

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

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

Original Adopted Date: 02/22/2018 | Last Revised Date: 12/12/2019 | Last Reviewed Date: 12/12/2019

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

Campus Visitor Procedure

Visitors to the campus must sign in at the main office to record their arrival/departure time and purpose of their visit. They are given a visitor sticker/badge to wear while on campus so that any school personnel can determine that the office has checked in the visitor.

* See attached Safe Ingress and Egress MS Map:

North Monterey County USD | BP 5142 - Students Safety

The Board of Trustees recognizes the importance of providing a safe school environment that is conducive to learning and helps ensure student safety and the prevention of student injury. The Superintendent or designee shall implement appropriate practices to minimize the risk of harm to students, including, but not limited to, practices relative to school facilities and equipment, the outdoor environment, educational programs, and school-sponsored activities.

Staff shall be responsible for the proper supervision of students during school hours, during school-sponsored activities, and while students are using district transportation to and from school.

The Superintendent or designee shall ensure that students receive appropriate instruction on topics related to safety, as well as injury and disease prevention.

Crossing Guards/Safety Patrol

To assist students in safely crossing streets adjacent to or near school sites, the Board may employ crossing guards and/or establish a safety patrol at any district school. The Superintendent or designee shall periodically examine traffic patterns within school attendance areas in order to identify locations where crossing assistance may be needed.

Policy NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT

Adopted: February 22, 2018 Moss Landing, California

North Monterey County USD | AR 5142 - Students Safety

Each principal or designee shall establish school rules for the safe and appropriate use of school equipment and materials and for student conduct consistent with law, Board policy, and administrative regulation. Copies of the rules shall be distributed to parents/guardians and shall be readily available at the school at all times.

Release of Students

Students shall be released during the school day only to the custody of an adult if:

1. The adult is the student's custodial parent/guardian.
2. The adult has been authorized on the student's emergency card as someone to whom the student may be released when the custodial parent/guardian cannot be reached, and the principal or designee verifies the adult's identity.
3. The adult is an authorized law enforcement officer acting in accordance with law.
4. The adult is taking the student to emergency medical care at the request of the principal or designee.

Supervision of Students

Teachers shall be present at their respective rooms and shall open them to admit students not less than 30 minutes before the time when school starts. (5 CCR 5570)

Every teacher shall hold students accountable for their conduct on the way to and from school, on the playgrounds, and during recess. (Education Code 44807)

The principal or designee shall require all individuals supervising students to remain alert in spotting dangerous conditions, promptly report any such conditions to the principal or designee, and file a written report on such conditions as appropriate.

In arranging for appropriate supervision on playgrounds, the principal or designee shall:

1. Where playground supervision is not otherwise provided, provide for certificated employees to supervise the conduct and safety, and direct the play, of students who are on school grounds before and after school and during recess and other intermissions (5 CCR 5552)

2. Clearly identify supervision zones on the playground and require all playground supervisors to remain outside at a location from which they can observe their entire zone of supervision
3. Consider the size of the playground area, the number of areas that are not immediately visible, and the age of the students to determine the ratio of playground supervisors to students

The Superintendent or designee shall ensure that teachers, teacher aides, playground supervisors, yard aides, and volunteers who supervise students receive training in safety practices and in supervisory techniques that will help them to forestall problems and resolve conflicts. Such training shall be documented and kept on file.

Student Safety Patrols

School safety patrols shall be used only at those locations where the nature of traffic will permit their safe operation. The locations where school safety patrols are used should be determined jointly with the local law enforcement agency. (5 CCR 572)

A school safety patrol shall be composed of students of the school who are selected by the principal and shall serve only with written consent from their parent/guardian. Patrol members shall be at least 10 years old and at least in the fifth grade. (Education Code 49302; 5 CCR 571)

Patrol members shall be under the supervision and control of the principal or designee and shall receive training in proper procedures, including, but not limited to, the operations specified in 5 CCR 573-574. Whenever on duty, patrol members shall wear the standard uniform required by 5 CCR 576.

Playground Safety

Any new playground or any replacement of equipment or modification of components inside an existing playground shall conform to standards set forth by the American Society for Testing and Materials and the guidelines set forth by the U.S. Consumer Product Safety Commission. (Health and Safety Code 115725)

Any playground installed between January 1, 1994, and December 31, 1999, shall conform to these standards not later than 15 years after the date of installation. (Health and Safety Code 115725)

Activities with Safety Risks

Because of concerns about the risk to student safety, the principal or designee shall not permit the following activities on campus or during school-sponsored events unless the activity is properly supervised, students wear protective gear as appropriate, and each participant has insurance coverage:

1. Trampolining
2. Scuba diving
3. Skateboarding or use of scooters
4. In-line or roller skating or use of skate shoes
5. Sailing, boating, or water skiing
6. Snow trips
7. Motorcycling
8. Target shooting
9. Horseback riding
10. Rodeo
11. Other activities determined by the principal to have a high risk to student safety

Students who operate or ride as a passenger on a bicycle, nonmotorized scooter, or skateboard upon a street, bikeway, or any other public bicycle path or trail shall wear a properly fitted and fastened bicycle helmet that meets the standards of law. Students also shall be required to wear such helmets while wearing in-line or roller skates. (Vehicle Code 21212)

Laboratory Safety

The principal of each school offering laboratory work shall develop procedures for laboratory safety and designate a trained certificated employee to implement and regularly review these procedures.

Hearing Protection

The Superintendent or designee shall monitor students' exposure to excessive noise in classrooms and provide protection as necessary. The Superintendent or designee also may provide hearing conservation education to teach students ways to protect their hearing.

Eye Safety Devices

The Superintendent or designee shall provide schools with eye safety devices for use whenever students, teachers, or visitors are engaged in or observing an activity or using hazardous substances likely to cause injury to the eyes. Eye safety devices may be sold to students for an amount not to exceed their actual cost to the district. (Education Code 32030, 32031, 32033)

Protection Against Insect Bites

To help protect students against insect bites or stings that may spread disease or cause allergic reactions, students shall be allowed to apply insect repellent provided by their parents/guardians, under the supervision of school personnel, and in accordance with the manufacturer's directions, when engaging in outdoor activities.

Regulation NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT

Approved: February 22, 2018 Moss Landing, California

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

Component:

People and Programs

Element:

Meaningful Student Participation

Opportunity for Improvement:

Finding ways to best incorporate current adult supports to create opportunities for students to positively connect with one another as well as staff members.

Objectives	Action Steps	Resources	Lead Person	Evaluation
Attendance rate improvement: LCAP: (1.3-1.5, 3.1, 3 & 4)	Strengthen SART team and update the tracking system to ensure the team follows up with students identified as truant	Synergy data, SART tracking sheet	Administration & Student Engagement Specialist with support from the Community Liaison & Parent Ambassador	Timeline: Ongoing SART meetings
	Celebrate & recognize positive student attendance	Certificates, Synergy data	Site TOSA , Administration, RISE team, Parent volunteers	Timeline: Ongoing Number of students recognized for positive attendance each trimester
Student supports: Before and after school programs (LCAP 1.5, 3.1, 3.5, 4.4)	1. Increase communication with students and families to increase participation in Extended Day programs (NEST, Sports)	NEST and Sports rosters, CHKS survey data	NEST coordinator, Athletic Director	Timeline: Ongoing Attendance records and rosters
Social Emotional learning and supports LCAP Goals: 1.4, 1.5, 2.1, 3.1, 3.4, 3.5	Provide enrichment activities during breaks throughout the school day that are based on student interest and build collaboration amongst students	CHKS data, DESSA data	RISE team, Activities Director, Behavior Technician	Timeline: ongoing Tier 1 Meetings , MTSS meetings, Activities calendar

Component:

Ensuring a Safe and Orderly Environment

Element:

Safe School Environment

Opportunity for Improvement:

To help maintain a safe and orderly school environment conducive to learning, North Monterey County Middle School will continue to develop the emergency response protocol and staff trainings to provide emergency preparedness and response instructions, information, and guidelines to protect the safety and well-being of students and staff at the time of an emergency.

Objectives	Action Steps	Resources	Lead Person	Evaluation
By February 2025, all staff will have participated in trainings as they relate to emergency response and protocols.	Staff training on districtwide emergency response system	School Resource Officer	Administration	Evacuation/Assembly Map Clear description of adaptations and routine.
	Update Incident Command (IC) Team and create a second ICS team for before and after school programs	School Resource Officer NEST Coordinator NEST Director Migrant Education Athletic Director	Administration	Incident Command Flowchart
Improve Site safety and security: LCAP Goals: 3.4, 3.5	Develop a plan of checking in for athletic teams that visit the middle school	Athletic Director Staff coaches	Administration, Athletic Director	Complete by January 2024
	Continue the use of the 5 Star application to help document hall passes	Student Engagement Specialist , Campus Safety Monitors	Administration, TOSA	Ongoing
	Hold a gang prevention and gang awareness parent meeting	School Resource Officer, Biliteracy/English Learner Specialist	Administration, SRO	Complete by November 2024
	Train all students on internet safety/ best practices	Administration, Certificated Staff, I.T. director , Biliteracy/English Learner Specialist	Admin and I.T.	Complete by February 2025
	Add 3 additional cameras to assist with student safety (2 facing out from the gym and 1 by the PE rooms)	I.T. director, Facilities	Admin, I.T. and Facilities	Complete by June 2025
	Teach an anti-bullying unit lesson to all students (Using our Second Step Curriculum	Certificated staff	Psychologist, Admin	Complete by February 2025

Component:

People and Places

Element:

Goal: Create a safe, inclusive and welcoming learning environment that supports the social emotional learning and well being of students.

Opportunity for Improvement:

Recalibrate expectations of in classroom tiered supports

Objectives	Action Steps	Resources	Lead Person	Evaluation
Provide students with restorative justice opportunities that explicitly teach accountability and empathy	Assistant Principal, Behavior Technician and Student Engagement Specialist will lead weekly restorative justice circles (Cross training so that circles can operate if one lead is out)	Social Emotional Support Animal	Assistant Principal/ Administration	Synergy Suspension Reports (Monthly) MTSS meeting data MTSS referral data DESSA CHKS
Teacher coaching on TIER 1 classroom management & best practices	Monthly teacher retention meetings & check ins between admin & coordinator of professional development and teacher support	Coordinator of Professional Development & Teacher Support	Administration, Coordinator of Professional Development & Teacher Support	Referral data (Synergy) Number of coaching sessions
Consistent implementation of Tier 1 Social Emotional Curriculum during exploratory courses	Psychologist and admin to help set up teacher accounts	Second Step curriculum, Psychologist	Administration	DESSA Second Step usage reports Number of behavior referrals
Clarity in School Wide Expectations	Quarterly Expectations Presentations School Wide NORMS and Expectations School Wide Behavior System and Flowchart	School counselors, mental health counselors, NEST coordinator, RISE team	Administration/RISE team	Monthly agendas and action items DESSA CHKS
Fentanyl Overdose Prevention	All staff trained on narcan administration, and narcan available throughout campus.	Outside Agency	Principal	Staff Sign in

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

North Monterey County Middle School Student Conduct Code

North Monterey County Unified School District Board Policies address discipline procedures to be followed in the case of unacceptable actions by students against persons or property. These policies also protect the constitutional rights of students. In recent years the courts have emphasized the constitutional principle that students do have certain rights when they attend our schools. Such rights include freedom of expression, speech, and equal educational opportunity. Along with these rights come additional responsibilities on the part of the students. The staff of the school system will work with the students to help them understand their rights and responsibilities and to grow to maturity with additional respect for fairness, justice and truth.

Students are suspended or expelled from school or school activities to protect the physical safety of other students or staff or to ensure that classroom instruction is continued without interference. The general safety, well-being, and educational goals of all students must be considered along with the rights and responsibilities of each individual.

California law permits suspension from school and school activities for a period of five days, except while waiting for action by juvenile court or the Board of Trustees, when time may be extended

In expulsion cases, a full hearing is given to each student by the Board of Trustees. The facts of each case are carefully reviewed in this hearing and by the Board of Trustees. Final action is taken by the Board of Trustees in open session.

Expected Student Behavior

The Board of Trustees of North Monterey County Unified School District, in support of public education and the exercise of general supervision of district schools, believes that the conduct of students must establish an educational climate conducive for the furtherance of educational opportunities for youth and the promotion of learning. For this purpose, the people of the State have empowered local boards of education to regulate student conduct.

The governing board of any school district shall prescribe rules not inconsistent with law or with the rules prescribed by the State Board of Education, for the government and discipline of the schools under its jurisdiction. (E.C. 35291) All pupils shall comply with the regulations, pursue the required course of study, and submit to the authority of the teachers of the schools. (E.C. 48908)

There is a place and an appropriate educational program in our schools for every student interested in pursuing an education. The law requires attendance of youth between certain ages and the public has, through numerous legislative enactments, expressed its will that educational opportunities shall be provided for all.

Rules and Regulations

Rules and regulations are established to maintain an atmosphere conducive to learning. Students who fail to comply with these rules and regulations will be counseled, reprimanded, suspended, expelled, and/or arrested as the laws are applied.

Suspension shall be imposed only when other means of correction fail to bring about proper conduct, provided that a pupil may be suspended for any of the reasons enumerated in E.C. Sections 48900 (a-s), 48900.2, 48900.3, 48900.4, 48900.7, 48901.5 and sections of 48915 upon a first offense.

a) The principal may recommend a pupil's expulsion for any of the acts enumerated in Section 48900 and in sections of E.C. 48915.

b) Upon recommendations by the principal or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a pupil expelled upon finding that the pupil violated E.C. Sections 48900 (a-s), 48900.2, 48900.3, or 48900.4, 48900.7; and that other means of correction have repeatedly failed to bring about proper conduct, or due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others and that other means of correction are not feasible. The governing board shall order expulsion for violation of E.C. 48915 (c-1) to (c-5).

CAUSES FOR DISCIPLINARY ACTION

VIOLATIONS RELATING TO PERSONS

ABUSE / HARASSMENT, THREATS OR INTIMIDATION (physical or verbal attack on district employee or student) (E.C. 44810, 48900 (a) (1), (a) (2), 48900 i and o, 48900.4, 48900.7; P.C. 71)

ASSAULT AND BATTERY (assault or battery upon another student or upon school personnel; threat of force or violence toward school personnel, at any time or place related to school attendance or functions) (E.C. 44014, 44810, 48900 (a) (1), (a) (2), 48915 (c-2), (a-1), (a-2), (a-5); P.C. 240-243, 245)

BUS CONDUCT (continued disorderly conduct or persistent refusal to submit to authority of the driver) (C.A.C. 14103)

DEFIANCE, DISRESPECT, ETC. (insubordination or defiance toward school employees, either in language or action) (E.C. 48900 k; 48908)

ELECTRONIC LISTENING OR RECORDING DEVICE (It is the students' responsibility to make sure that all devices, including cell phones, are turned off and secure during the official school day. use of all electronic communication devices, without prior consent of the principal, is prohibited. (E.C. 51512, 48901.5)

EXTORTION / ROBBERY (taking possessions from another person by threat or force) (E.C. 44014, 44810, 48900 (a) (1), (a) (2), e and g, 48915 (a-4); P.C. 240, 241, 524)

FIGHTING (involvement in fighting either in groups, gangs, or as an individual on school premises or elsewhere under authority of school personnel) (E.C. 32210, 44807, 44810, 48900 (a) (1), (a) (2), 48915 (a-1))

FORGING (forging notes, signatures, excuses or other school documents) (E.C. 48900 k; P.C. 470)

GAMBLING (any betting, gaming played with cards, dice, coins, or other items of value is prohibited) (P.C. 330)

HAZING / HATE VIOLENCE (committing any act that injures, degrades, or disgraces any fellow student or person attending the institution) (E.C. 32050-32051; 48900 q; 48900.3; 233) (Ref. 610R Admin. Code and AB 1785).

KEYS (illegal possession, unauthorized use or duplication of keys to school buildings or premises) (P.C.469)

RECEIVING STOLEN PROPERTY (knowingly received stolen school property or private property) (E.C.48900 l)

SECRET CLUBS (membership on school campus prohibited) (E.C. 48900 k)

SEXUAL HARASSMENT/ASSAULT (unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting) (E.C. 48900.2, 212.5, 48915 (c-4))

STEALING (stealing school property or from persons while on school property or at school sponsored events) (E.C. 19911, 35291, 44807, 48900 g; P.C. 484-485)

TARDINESS/TRUANCY (late to class; missing class (es) illegally) (E.C. 48260-48262)

VEHICLES (failure to observe posted traffic and parking regulations) (V.C. 21113, 42001)

OTHER OFFENSES (serious infractions of behavior standards, not identified above, inimical to the welfare of the school, including buildings, property, staff, students or other personnel during the school day or while in attendance at school functions) (E.C. 48212, 48900 (a)(1) to 48900 o, 48915)

VICTIMS OF VIOLENT CRIMES

Victims of violent crimes, while in or on school grounds, will have the option of an intra-district transfer. Incidents will be reviewed on a case-by-case basis to determine whether a student is the victim of a violent offense as provided for in the California Penal Code.

VIOLATIONS RELATING TO STUDENT EXPRESSION

LEWD OR LASCIVIOUS ACTS (engaging in or performing lewd or lascivious acts on school grounds or at school sponsored activities) (P.C. 314)

PROFANITY/VULGARITY (continual or habitual use of profanity or vulgarity) (C.A.C. 300; E.C. 48900 l)

VIOLATIONS RELATING TO CAMPUS DISTURBANCE

FALSE FIRE ALARMS (willfully tampers with any fire alarm equipment or deliberately sounds a false fire alarm) (E.C. 48900 k; P.C. 148.4)

LOITERING (persons on school premises unlawfully) (P.C. 653 g)

PICKETING (persons posted to affect the school) (P.C. 407, 409)

SIT-INS, WALK-ONS, ETC. (violations of rules governing lawful assemblage on school grounds or at school events; failure to disperse) (PC. 407, 409, 416, 420 j, p, 626.2, 626.4, 626.6, 626.8)

TRESPASSING / FORCED ENTRY (trespassing or forced entry with respect to school buildings or school events) (E.C. 32210, 44810; P.C. 902 p, 626.8)

UNAUTHORIZED VISITORS (persons who come into any school building or onto any school ground or adjacent areas without lawful business thereon) (E.C. 44810; P.C. 626.8, 647 b, 653 g)

VIOLATIONS RELATING TO PROHIBITED ITEMS

ALCOHOL / INHALENTS (use or possession on school campus or at school sponsored events) (B. & P.C. 25608, 25658, 25662; C.A.C. 14251; E.C. 48900 c, 48915 (a-3); P.C. 647 e)

CHEMICAL SPRAYS (possession of or use of any chemical weapon) (E.C. 48900 b; P.C. 12403.7 (4))

DRUGS / NARCOTICS (use, possession or sale of narcotics or other hallucinogenic drugs or substances or any other controlled substances on school grounds or elsewhere under the authority of school personnel) (E.C. 48900 c, 48915 (a-3), (c-3); H. & S. C. 11350, 11353, 11354, 11357, 11359, 11361, 11377, 11378, 11380; P.C. 647 e)

Offered, arranged or negotiated to sell any controlled substance, alcoholic beverage, or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid, substance, or material in lieu of the substance. (E.C. 48900 d; H. & S. C. 11382)

DRUG PARAPHERNALIA (possession of, offered, arranged, or negotiated to sell drug paraphernalia) (E.C. 48900 j)

ELECTRONIC SIGNALING DEVICES (use of any electronic signaling device is prohibited during the official school day, except for health reasons when prescribed by a licensed physician and approved by school administration) (E.C. 48901.5)

TOBACCO (use or possession of tobacco or any products containing tobacco or nicotine products on school grounds or elsewhere while under the authority of the school) (E.C. 48900 h; 48901)

WEAPONS OR THREAT THEREOF (possession, sale or furnishing of any firearm (gun), knife, explosive, or other dangerous object of no reasonable use to the pupil at school, or at a school activity off school grounds) (C.C. 1714.1, 1714.3; E.C. 48900 b, 48915 (a-2), (c-1), (c-2); P.C.

245. 626.9, 626.10, 653 k, 12020, 12021.2, 12301) Possession of an imitation firearm (gun). (E.C. 48900 m)

SEARCH AND SEIZURE (personal or private property on school grounds, adjacent to the school, or while under the authority of school personnel, is subject to search and seizure by school officials) (E.C. 493331; H.& S.C. 11364.7, 11471)

LASER POINTERS OR LASER DEVICES (possession, sale or the furnishing of any device that conducts a laser beam such as a laser pointer is strictly prohibited.) (E.C. 48900B)

VIOLATIONS RELATING TO PROPERTY

BOMB THREATS (false report that a bomb or other explosive has been placed in school buildings or on school grounds) (L.C. 3367; P.C. 148.1)

DEFACING OR DAMAGING SCHOOL PROPERTY (VANDALISM) (acts which endanger life of students, employees or visitors or result in damage to school buildings, school property including electronic files and databases or possessions of students, staff members or visitors; parent or guardian is responsible for damages) (C.A.C. 305, C.C. 1714.1; E.C. 19910, 48900 f, 48904; G.C. 6201, 53069.5, 53069.6; P.C. 451, 452, 594, 594.5, 602 j)

FIRES, EXPLOSIVES OR THREAT THEREOF (fires or explosives which threaten or cause serious damage to human life or property on campus or at school sponsored events; parent or guardian is responsible for damages) (E.C. 48900 (a) (1), b, 48904, 48915 (a-2); H & S.C.

12304-12306; P.C. 451, 452)

DEFINITION OF TERMS

PROBATION: Placing a student on a trial basis because of prior conditions; must meet specified conditions for a given period of time.

TRANSFER TO ANOTHER CLASS / SCHOOL: A student may be transferred to another class in the same school. A student may be transferred to another school; this decision follows a hearing at the school, or district office.

DETENTION: Keeping a student in custody for a defined period of time in special rooms under staff supervision.

PARTICIPATION DENIAL: Preventing the student from participating in school activities.

SUSPENSION: Temporary denial of class and/or school attendance for causes of action committed on school property, school buses, at school functions, or elsewhere. Usually students are referred by teachers to the appropriate administrator for disciplinary actions if the students are unresponsive to normal classroom and/or school expectations of behavior.

EXPULSION: Action by the Board of Trustees to deny the right of school attendance with a time limit. (E.C. 48915-48918)

EXEMPTION: Action to eliminate the requirement of compulsory school attendance; not related to misconduct. (E.C. 48220, 48221, 48410)

EXCLUSION: Action by the Board of Trustees to discontinue attendance for either a definite or indefinite period of time. (E.C. 46010.5, 48211, 48212)

EXTRA-CURRICULAR ACTIVITIES

Participation and/or attendance at extra-curricular activities are considered a part of the educational program for students. Participants carry extra responsibilities as representatives of their schools. Student conduct rules also apply to extra-curricular activities. Penalties in most cases will require some loss of participation privileges. Disciplinary action procedures outlined in the adopted code will be followed by the member schools in order that each case might be evaluated individually as prescribed by the Board.

STUDENT EXPRESSION

Students have the right to exercise free expression; however, student expression, assemblage and/or publication distribution shall not materially disrupt class work, involve substantial disorder, or invade the rights of others.

ENFORCEMENT

The certificated staff of the schools and the district shall enforce all school regulations as prescribed by law and Board regulations. The administration of each school shall enforce the Board adopted regulations to maintain proper conditions for the safety, health and physical wellbeing of all persons on campus and elsewhere while engaged in school-sponsored activities.

Suspension of students will be ordered by the principal. Expulsions may be ordered by the Board of Trustees when charges are substantiated after a proper hearing.

Should the student be expelled by the Board of Trustees of North Monterey County School District, the action may be appealed by the student or parent to the County Board of Education.

The Monterey County Sheriff is available on an as-needed basis.

RIGHTS AND RESPONSIBILITIES

In our form of government the judicial system interprets the law and its applications and orders compliance with its interpretations. Judicial decisions have constantly supported the authority of the State and of school officials to prescribe and control conduct in the schools. This has been extended from control of students while on the school grounds to also maintaining order at other events, such as athletic contests. In recent years, however, the courts have recognized the student's legitimate right to a public education, which is protected by the Due Process Clause of the Constitution of the United States. This right cannot be taken away for misconduct without adherence to the minimum procedures required by that clause.

The U.S. Supreme Court has made clear that students cannot collide with the rights of others without expecting a penalty. "But conduct by the student, in class or out of it, which for any reason - whether it stems from time, place, or type of behavior - materially disrupts class work or involves substantial disorder or invasion of the rights of others is, of course, not immunized by the constitutional guarantee of freedom of speech."

The role of the parent continues to be of primary importance in the education and control of the student. Parents are encouraged to help their youngsters by stressing the importance of a sound education and by forming a cooperative partnership with the schools to help guide and influence the education of all students.

Conduct Code Procedures

See attached "School Discipline Student Handbook Rules & Procedures"

(K) Hate Crime Reporting Procedures and Policies

Policy 5145.9: Hate-Motivated Behavior

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

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 0450 - Comprehensive Safety Plan)
(cf. 3515.4 - Recovery for Property Loss or Damage) (cf. 5131- Conduct)
(cf. 5131.2 - Bullying)
(cf. 5131.5 - Vandalism and Graffiti) (cf. 5136 - Gangs)
(cf. 5137 - Positive School Climate) (cf. 5141.52 - Suicide Prevention)
(cf. 5145.3 - Nondiscrimination/Harassment) (cf. 5145.7 - Sexual Harassment)

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

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

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

(cf. 1020 - Youth Services)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools) (cf. 1700 - Relations Between Private Industry and the Schools)
(cf. 5148.2 - Before/After School Programs)

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

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

(cf. 5138 - Conflict Resolution/Peer Mediation) (cf. 6142.3 - Civic Education)
(cf. 6142.4 - Service Learning/Community Service Classes) (cf. 6142.94 - History-Social Science Instruction)

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.

(cf. 6164.2 - Guidance/Counseling Services)

When appropriate, students who engage in hate-motivated behavior shall be disciplined. The Superintendent or designee shall provide staff with training that:

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

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

Employees who engage in hate-motivated behavior shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident shall be provided to students, staff, and parents/guardians.

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

(cf. 1113 - District and School Web Sites)

Complaints

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

(cf. 3515.3 - District Police/Security Department)

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

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

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

(cf. 1312.1 - Complaints Concerning District Employees) (cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

Original Adopted Date: 06/28/2018 | Last Revised Date: 07/22/2021 | Last Reviewed Date: 02/25/25

(J) Procedures to Prepare for Active Shooters

The site has detailed response and procedures for Active Shooters listed under the section Emergency Armed Assault on Campus and Emergency Guidelines that include the 3 levels of emergency response 1)Minor 2) Major 3) Disaster..

BP 3515.7

Cautionary Notice: SB 707 (Ch. 766, Statutes of 2015) amended Penal Code 626.9 and 30310 to provide that a person with a concealed weapons license must obtain written permission of the Superintendent or designee in order to possess a firearm and/or ammunition on school grounds. In view of the public interest and safety issues involved, CSBA strongly recommends that the Governing Board adopt a policy either prohibiting or permitting such possession and, if such possession is allowed, establishing conditions and criteria for granting permission to individuals. Because the law now requires an affirmative action on the part of the district to allow or disallow concealed weapons permit holders to possess a firearm and/or ammunition on school grounds, it is possible that district liability could be increased. Thus, in adopting a policy, CSBA recommends that the Board consult with the district's legal counsel and insurance provider and with local law enforcement in order to carefully tailor the following sample policy to reflect the district's local circumstances.

The Board of Trustees is committed to providing a safe environment for students, staff, and visitors on campus. The Superintendent or designee shall consult with local law enforcement, insurance carriers, and other appropriate individuals and agencies to address the security of school campuses.

(cf. 3515 - Campus Security)

(cf. 3515.2 - Disruptions)

(cf. 3515.3 - District Police/Security Department)

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

(cf. 5131.4 - Student Disturbances)

(cf. 5131.7 - Weapons and Dangerous Instruments)

District policy regarding the possession of firearms and/or ammunition on school grounds shall be included in the district's comprehensive safety plan and shall be communicated to district staff, parents/guardians, and the community.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1112 - Media Relations)

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

Any person specified in Penal Code 626.9(l)-(o) and 30310 is authorized to possess a firearm and/or ammunition on school grounds. School grounds include, but are not limited to, school buildings, fields, storage areas, and parking lots.

The Superintendent or designee shall not grant permission to any other individual to carry a firearm or ammunition on school grounds.

Legal Reference:

EDUCATION CODE

32281 Comprehensive safety plan

35160 Powers and duties of the board

35161 Powers and duties of the board; authority to delegate

38001.5 District security officers; requirements if carry firearm

PENAL CODE

626.9 Gun Free School Zone Act

830.32 District police department; district decision to authorize carrying of firearm

16150 Definition of ammunition

16520 Definition of firearm

26150-26225 Concealed weapons permit

30310 Prohibition against ammunition on school grounds

UNITED STATES CODE, TITLE 18

921 Definitions, firearms and ammunition
922 Firearms, unlawful acts
923 Firearm licensing

UNITED STATES CODE, TITLE 20

7151 Gun-Free Schools Act; student expulsions for possession of firearm

Management Resources:

WEB SITES

Office of the Attorney General: <https://oag.ca.gov/firearms>

Policy NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT adopted: February 22, 2018 Moss Landing, California

Procedures for Preventing Acts of Bullying and Cyber-bullying

Policy 5131.2: Bullying

The Governing Board recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a safe school environment that protects students from physical 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.

(cf. 5131 - Conduct) (cf. 5136 - Gangs)
(cf. 5145.3 - Nondiscrimination/Harassment) (cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

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.

(cf. 1220 - Citizen Advisory Committees)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools) (cf. 6020 - Parent Involvement)

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.

(cf. 0420 - School Plans/Site Councils) (cf. 0450 - Comprehensive Safety Plan)
(cf. 0460 - Local Control and Accountability Plan)

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

(cf. 1312.3 - Uniform Complaint Procedures)

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.

(cf. 5116.1 - Intradistrict Open Enrollment) (cf. 5117 - Interdistrict Attendance)

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

including dismissal.

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

(cf. 4119.21/4219.21/4319.21 - Professional Standards) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference: EDUCATION CODE

200-262.4 Prohibition of discrimination 32282 Comprehensive safety plan 32283.5 Bullying; online training 35181 Governing board policy on responsibilities of students 35291-35291.5 Rules
46600 Student transfers
48900-48925 Suspension or expulsion 48985 Translation of notices 52060-52077 Local control and accountability plan PENAL CODE
422.55 Definition of hate crime
647 Use of camera or other instrument to invade person's privacy; misdemeanor
647.7 Use of camera or other instrument to invade person's privacy; punishment
653.2 Electronic communication devices, threats to safety CODE OF REGULATIONS, TITLE 5 4600-4670 Uniform complaint procedures UNITED STATES CODE, TITLE 47
254 Universal service discounts (e-rate) CODE OF FEDERAL REGULATIONS, TITLE 28
35.107 Nondiscrimination on basis of disability; complaints CODE OF FEDERAL REGULATIONS, TITLE 34
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
110.25 Notification of nondiscrimination on the basis of age COURT DECISIONS Wynar v. Douglas County School District, (2013) 728 F.3d 1062
J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094 Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

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

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

Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012 Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011 Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010

Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009 CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying Module

California's Social and Emotional Learning: Guiding Principles, 2018 Social and Emotional Learning in California: A Guide to Resources, 2018

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008 Bullying at School, 2003

Management Resources: (continued)

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

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

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

Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014 Guidance to America's Schools: Bullying of Students with Disabilities, October 2014

Dear Colleague Letter: Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on the Basis of Sex; Race, Color and National Origin; and Disability, October 26, 2010 Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

CSBA: <http://www.csba.org>(<https://simbli.eboardsolutions.com/SU/endNgaxyiGQAmOk5HoBoUw==>) California Department of Education, Safe Schools Office:

<http://www.cde.ca.gov/ls/ss>(<https://simbli.eboardsolutions.com/SU/AxdFslshFpyQ1QP0821fOy9pg==>) California Office of the Attorney General: <http://oag.ca.gov>(<https://simbli.eboardsolutions.com/SU/2JThslshxKq1Rjc58hcXl2xRg==>)

Center on Great Teachers and Leaders: <https://gtlcenter.org>

Collaborative for Academic Social and Emotional Learning: <https://casel.org> Common Sense Media:

[http://www.common sense media.org\(https://simbli.eboardsolutions.com/SU/FZe8ENnO7cN9qCKYUT5Tslshw==\)](http://www.common sense media.org(https://simbli.eboardsolutions.com/SU/FZe8ENnO7cN9qCKYUT5Tslshw==)) National School Safety Center: [http://www.schoolsafety.us\(https://simbli.eboardsolutions.com/SU/urlZG60XpCoYplusfXR5BBlvg==\)](http://www.schoolsafety.us(https://simbli.eboardsolutions.com/SU/urlZG60XpCoYplusfXR5BBlvg==)) Partnership for Children and Youth: [https://www.partnerforchildren.org\(https://simbli.eboardsolutions.com/SU/GhRyJqc4ZX41JZzujSRweQ==\)](https://www.partnerforchildren.org(https://simbli.eboardsolutions.com/SU/GhRyJqc4ZX41JZzujSRweQ==))

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U.S. Department of Education: [http://www.ed.gov\(https://simbli.eboardsolutions.com/SU/nQkF27idj5Dxg7gypK4hGw==\)](http://www.ed.gov(https://simbli.eboardsolutions.com/SU/nQkF27idj5Dxg7gypK4hGw==))

Regulation 5131.2: Bullying

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. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

(cf. 5145.2 - Freedom of Speech/Expression) (cf. 6163.4 - Student Use of Technology)

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

1. Physical bullying: 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 such as sending demeaning or hateful text messages or emails, spreading rumors by email or by posting on social networking sites, or posting or sharing embarrassing photos, videos, web site, 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:

1. Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate

(cf. 5131 - Conduct)

(cf. 5137 - Positive School Climate)

2. Providing information to students, through student handbooks, district and school web sites 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)

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

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)

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

(cf. 5141.52 - Suicide Prevention)

2. The definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8

3. Title IX information included on the district's web site pursuant to Education Code 221.61, and a link to the Title IX information included on CDE's web site pursuant to Education Code 221.6

4. District policies on student sexual harassment, prevention and response to hate violence, discrimination, harassment, intimidation, bullying, and cyberbullying

(cf. 5145.3 - Nondiscrimination/Harassment) (cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

5. A section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media

6. A link to statewide resources, including community-based organizations, compiled by CDE pursuant to Education Code 234.5.

7. Any additional information the Superintendent or designee deems important for preventing bullying and harassment

(cf. 1113 - District and School Web Sites)

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, and appropriate online behavior.

(cf. 6142.8 - Comprehensive Health Education) (cf. 6142.94 - History-Social Science Instruction)

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

Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff shall be expected to demonstrate effective problem-solving and anger management skills.

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

Reporting and Filing of Complaints

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

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

(cf. 1312.3 - Uniform Complaint Procedures)

Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

Discipline/Corrective Actions

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

(cf. 5116.2 - Involuntary Student Transfers) (cf. 5138 - Conflict Resolution/Peer Mediation) (cf. 5144 - Discipline)

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

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)) (cf. 6159.4 - Behavioral Interventions for Special Education Students)

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

(cf. 6164.2 - Guidance/Counseling Services)

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

Original Adopted Date: 01/16/2020 | Last Reviewed Date: 01/16/2020

Instructional Continuity Plan

Instructional Continuity and Emergency Communication Plan

This plan ensures that in the event of an emergency where in-person instruction is not viable, the district can:

1. Communicate effectively with families and students.
2. Maintain instructional continuity through alternate learning modes.
3. Support students' social-emotional, mental health, and academic needs.
4. Preserve attendance-based funding through timely implementation of these procedures.

1. Communication Plan

1.1 Two-Way Communication Protocol

- Platforms:
 - Social Media
 - ParentSquare
 - Email and SMS Alerts
 - Phone Calls (SchoolMessenger System)
 - District and School Websites
- Process:
 - Initial notification sent to all families within 24 hours of emergency onset.
 - Families can respond via provided contact numbers, emails, or designated communication apps.
 - Weekly updates on the status of school operations and instructional options.
 - Translation services provided for non-English speaking families.
- Responsibility:
 - Director of Engagement and School Climate, along with site administration to manage and monitor two-way communication.
 - Teachers maintain regular communication with students and families via their preferred platforms.

2. Initial Student Engagement within Five Days

2.1 Engagement Activities

Within five calendar days of an emergency, schools will:

- Conduct virtual or phone-based wellness checks.
- Distribute engagement packets for students with limited internet access.
- Host virtual class meetings or individual check-ins via platforms like Zoom or Google Meet.

- Provide asynchronous learning options (e.g., recorded lessons, digital resources).

2.2 Social-Emotional and Mental Health Supports

- Counselor/Social Worker Check-Ins:
- Virtual counseling sessions available.
- Daily or weekly Second Step SEL activities shared through digital platforms or printed packets.
- CareSolace:
- 24-hour support line for students and families to address immediate concerns.
- Resource Guides:
- Provide digital and print guides with mental health resources and community support services.

3. Instructional Continuity Plan

3.1 Alternate Modes of Instruction

- Remote Learning Platforms:
- Google Classroom (for assignments, announcements, and resources).
- Zoom/Google Meet for synchronous instruction.
- Asynchronous Options:
- Recorded video lessons and digital assignments.
- Printed learning packets distributed through designated pick-up locations or mailed to families.

3.2 Timeline for Instructional Continuity

- Within 10 School Days:
- Implement a full remote learning schedule or reassign students to nearby schools or alternative sites if necessary.
- Coordinate with neighboring districts and county offices of education for alternative facilities space

3.3 Independent Study Standards

- Ensure that instructional quality meets or exceeds standards set by independent study programs:
- Minimum instructional time per grade level.
- Regular teacher-student interactions (daily for TK-3; weekly for grades 4-8).
- Academic progress tracking and regular feedback.

4. Emergency Reassignment Plan

- Criteria for Reassignment:
- When the home school site cannot safely operate for more than 10 days.
- Partnerships:
- Agreements with local school districts and charter schools to accept reassigned students.
- Residency Waiver:
- Expedite enrollment for reassigned students by bypassing residency requirements.

5. Staff Training and Preparation

5.1 Training Schedule

- Yearly Training Sessions for all staff on:
- Emergency communication protocols.
- Remote learning platforms and instructional continuity strategies.
- SEL and mental health support during emergencies.

5.2 Simulation Drills

- Conduct annual drills simulating remote learning activation and family communication procedures.

6. Monitoring and Accountability

6.1 Attendance and Engagement Tracking

- Daily attendance recorded through remote platforms.
- Regular follow-up with families of absent students.

6.2 Plan Review and Updates

Annual review of the plan to incorporate feedback and best practices.

Safety Plan Review, Evaluation and Amendment Procedures

Comprehensive School Safety Plan is evaluated and amended as needed, according to current Ed. Code regulations and at least once each year, to ensure that the plan is properly implemented:

An updated file of all non-sensitive safety-related plans and materials is always readily available for review by the public upon request. Comprehensive safety plan is available at the school site and online as well as the red emergency services binder.

Procedures for Approval:

Plan is shared at a public meeting located at the school site.

The School Site Council approves the Plan.

The Plan is submitted to local law enforcement and fire department for review.

The Plan is submitted to the NMCUSD District Office for review.

The NMCUSD School Board approves the Plan.

Safety Plan Appendices

Emergency Contact Numbers

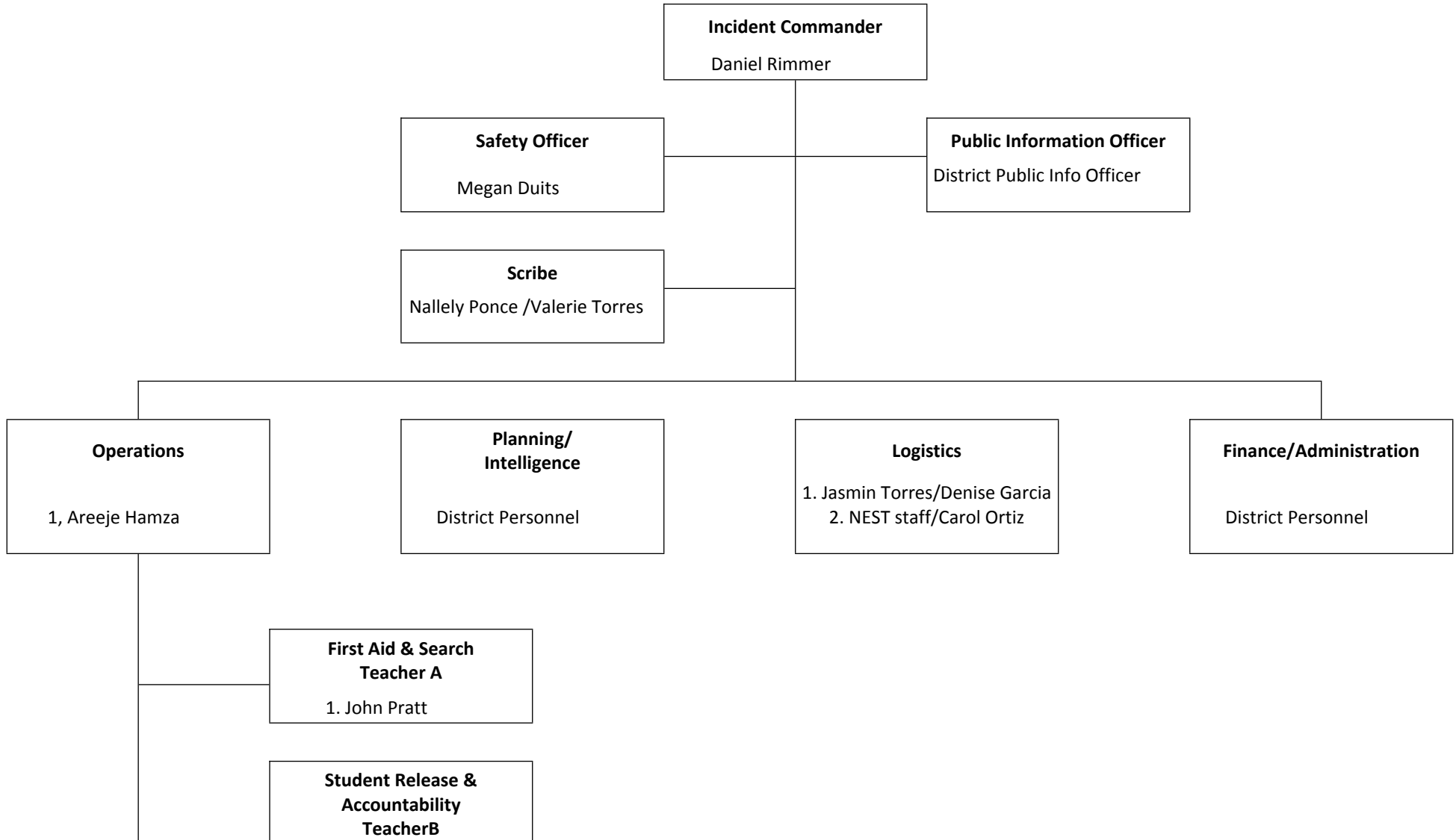
Utilities, Responders and Communication Resources

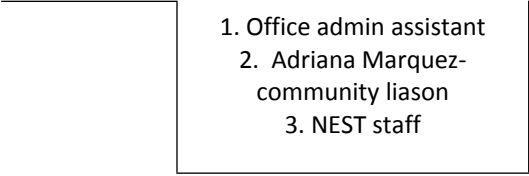
Type	Vendor	Number	Comments
Law Enforcement/Fire/Paramedic	A & B Fire	(831) 422-4404	Fire Sprinklers
Law Enforcement/Fire/Paramedic	CHP	(831) 770-8000	Non-Emergency
Other	First Alarm	(831) 649-1111	Burglar and Fire Alarm Monitoring
Public Utilities	PG&E	(800) 743-5000	
Law Enforcement/Fire/Paramedic	Sheriff Office	(831) 755-5111	Non-Emergency
Public Utilities	Waste Management	(831) 633-7878	Garbage & Recycling
School District	Superintendent Matthew Turkie	(831) 633-3343	
School District	Command Center	(831) 633-3343 ext. 1234	
Law Enforcement/Fire/Paramedic	North County Fire Protection	(831) 633-2578 or (831) 722-7833	

Safety Plan Review, Evaluation and Amendment Procedures

Activity Description (i.e. review steps, meetings conducted, approvals, etc)	Date and Time	Attached Document (description and location)
School Site Joint Safety Committee reviewed data and made recommendations	October 8, 2024	In Person room 1, with Tier 1 Team
School Site Council and public meeting: reviewed data and made recommendations	November 21, 2024	In Person Room 1
The School Site Council approval of the Plan	February 27, 2025	In Person, Room 1
Law Enforcement Reviews the Plan		
Fire District Reviews the Plan		
The NMCUSD School Board approves the Plan		

North Monterey County Middle School Incident Command System



- 
1. Office admin assistant
 2. Adriana Marquez-
community liason
 3. NEST staff

Incident Command Team Responsibilities

Standardized Emergency Response Management System Overview

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

The five functions of the ICS are Command, Operations, Planning/Intelligence, Logistics, and Finance/Administration. Individuals working under the Command function will be referred to as the Command Staff, while personnel assigned responsibilities under Operations, Planning/Intelligence, Logistics, or Finance/Administration will be referred to as the Section Chiefs. Under SEMS, the ICS team can be expanded or reduced, depending on the situation and the immediate needs. An individual can execute more than one function.

Management

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

Planning & Intelligence

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

Operations

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

Logistics

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

Finance & Administration

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

Emergency Response Guidelines

Step One: Identify the Type of Emergency

Identify the Threat and Hazard Emergency from the following categories: (1) Natural Hazards (2) Technological Hazards (3) Biological Hazards (4) Adversarial, Incidental, and Human caused Threats:

Step Two: Identify the Level of Emergency

LEVEL 1 EMERGENCY is classified as a MINOR EMERGENCY and defined as a localized incident with a limited threat to life/safety and no impact to normal campus operations. Response to a MINOR EMERGENCY is managed at the campus by the site Incident Command Team level with limited support from district resources unless support is requested from the district Core Emergency Team.

LEVEL 2 EMERGENCY is classified as a MAJOR EMERGENCY and defined as an incident that threatens life/safety and/or severely impacts normal campus operations. Response to a MAJOR EMERGENCY can be managed at the campus or district level and could require significant resources internal and external to North Monterey County Unified School District. The district Core Emergency Team - Incident Command System is activated for a MAJOR EMERGENCY.

LEVEL 3 EMERGENCY is classified as a DISASTER and defined as an incident that results in the catastrophic loss of life and/or closure of one or more campuses for an extended period of time. Response to a DISASTER is managed at the district Core Emergency Team - Incident Command System and requires mutual aid from external agencies.

LEVEL 4 EMERGENCY is classified as adversarial, incidental, and human caused threats specifically focused on the area of drug and alcohol overdose.

Step Three: Determine the Immediate Response Action

The school site will respond to emergency situations effectively and efficiently. The focus of the school site emergency safety plan is on planning for the response to both minor and major emergencies. Response operations are intended to resolve a situation while minimizing casualties and property damage, and may include: warning and notification, campus operations, general first aid, evacuation, sheltering, as well as other associated functions.

Minor Emergency: A localized incident with limited threat to life/safety and no impact to normal school site operations.

Major Emergency: A major emergency is defined as an incident that threatens life/safety on a campus and/or severely impacts normal school site operations. When doubt exists or if a minor emergency has potential to become more dangerous, always resolve in favor of notification and follow the notification procedure for Level 2 and 3 emergencies. The district Core Emergency Team - Incident Command System is activated for a MAJOR EMERGENCY.

Step Four: Communicate the Appropriate Response Action

LEVEL 1,2,3 EMERGENCY

Upon establishing that a Minor/Major incident is occurring/had occurred on campus the School site administration will communicate appropriately depending on the nature of the incident. 9-1-1 will be dialed for any incident which may significantly impact life/property. The site administrator/designee will also contact the appropriate district Core Emergency Team of the incident. The site administration will activate the site Incident Command System to include a site Public Information Officer that will work in alignment with the district Core Emergency Team and responding local agencies. The Public Information Officer will communicate out to families on the incident as appropriate using various communication platforms.

“Duck, Cover and Hold”

a. Warning: The warning for this type of emergency is the beginning of the disaster itself (i.e. Earthquake/Fire/Explosion)

Immediately use the site’s school-wide communication system to instruct students and staff to protect themselves by moving into a “duck & cover” position by crouching under a table, desk, or chair until the danger passes.

IC shall not assume that all members of the site are already in a “duck & cover” position.

The announcement shall be made even if the immediate crisis has passed.

b. Action “Duck, Cover, and Hold” consists of:

- 1) Command “Duck, Cover, and Hold” is given.
- 2) Each student and staff member takes cover under a table or desk, dropping to his or her knees, with the head protected by the arms, and the back to the windows.
- 3) Students and staff immediately duck under a desk or table and, with both hands, hold onto the desk leg or table leg.
- 4) Hang on with both hands and be prepared to move with the desk or table and keep your head and body under the top of the desk or table at all times. Try to stay on your knees when the furniture is moving to keep your face off the floor.
- 5) After all movement and noise stops, stay under desk or table until a teacher gives you instructions. Listen carefully and following instructions.

c. Action “Duck, Cover, and Hold” is effective for students and staff who are indoors, and is considered appropriate for, but not limited to, the following:

- 1) Earthquake: shaking of the earth
- 2) Explosion
- 3) Surprise nuclear attack:
 - a) Intense light
 - b) Tremendous sound

Shelter in Place: Immediately use the site’s school-wide communication system to instruct students and staff that they are to stay indoors until further notice.

Lock Down: Immediately use the site’s school-wide communication system to instruct staff to lock all exterior doors, to close any open windows, and to keep students as far away as possible from any windows and doors until further notice. Other means of communication during a lockdown may include two way radios, cellular phone or email.

Evacuate Building: Immediately use the site’s fire alarm bell system to notify students and staff that they are to proceed to the site’s outside evacuation areas.

Evacuate Campus: Immediately use the site’s fire alarm bell system to notify students and staff that they are to proceed to the site’s outside evacuation areas. From there, notify staff and students using a bullhorn that it has been determined that it is too dangerous to remain on campus. The site Incident Command System will communicate off site reunification for staff, students and parents.

LEVEL EMERGENCY 4

Emergency Response to an Opioid Overdose

Signs of Overdose

- Unconsciousness
- Inability to Waken
- Shallow or slow breathing
- Choking, gurgling, or snoring noises
- Fingernails or lips turning blue or purple

- Cold clammy skin

Immediate Action

- Call 911
- Call for School Nurse or School Administrator
- Administer (if trained) or support in the administration of naloxone and monitor breathing
- Provide rescue breathing (if trained in CPR) if breathing has slowed or stopped
- Once the person is breathing again, place them in recovery position
- Continue to monitor the individual until EMS arrives

Review Information below for guidance on Naloxone Procedure

Naloxone Policy Purpose and Scope

To establish guidelines and regulations governing the utilization of naloxone nasal spray administered by North Monterey County Unified School District (NMCUSD) personnel. The objective is to treat opioid overdoses and get those overdosed transported to an emergency department to reduce the number of fatal overdoses.

It is the policy of NMCUSD that staff are trained in the use of the naloxone. The Health Services Department shall be the Program Administrator. The Program Administrator shall be responsible for the overall administration, evaluation, maintenance and equipment of the program. Duties shall include, but not necessarily be limited to the following:

- (a) Ensuring an adequate supply of appropriate naloxone nasal spray is available
- (b) Coordinating and overseeing training
- (c) Assuring the maintenance of training, inspection and other program records.
- (d) Conducting periodic evaluations to ensure that the provision of the program are being implemented. Evaluations should include consultation with the employees who use naloxone nasal spray, their supervisors, job task assignment and a review of program records.

This policy will be reviewed and approved for continuance by August 1st, annually.

Naloxone Procedure Training

Each staff authorized to administer naloxone nasal spray shall be trained with the specified type/dose of naloxone nasal spray that they will be required to use. The training shall be of sufficient content and duration to ensure that the user is competent in handling and using the specified naloxone nasal spray.

Naloxone Use

When using the naloxone nasal spray, staff will maintain universal precautions against blood borne pathogens. Staff must first perform a basic client assessment to determine unresponsiveness, absence of breathing and or pulse and perform CPR/First Aid as required (if trained). Staff should conduct a quick survey of the area and/or discussion with those accompanying the client to check for evidence of drug use. If staff determine the client is likely suffering a medical emergency as a result of an opiate over-dose, staff will call or ask another staff member to call 911 immediately and report that the client is in a potential overdose state. Staff shall follow the procedure below to administer naloxone nasal spray:

Administration of naloxone nasal spray: Administer naloxone nasal spray to patient suspected of an opioid exposure with respiratory depression or unresponsiveness as follows:

1. Remove naloxone nasal spray from box by peeling back the tab with the circle to open the spray.
2. Hold the naloxone nasal spray with your thumb on the bottom of the plunger and your first and middle fingers on either side of the nozzle.
3. Tilt the head back and provide support under the neck with your hand. Gently insert the tip of the nozzle into either nostril until your fingers are against the bottom of the person's nose.
4. Press the plunger firmly to give the dose of naloxone nasal spray.
5. Remain with individual until he or she is under the care of a medical professional, such as a paramedic, emergency medical technician, physician, or nurse. Rescue breathing (one breath every 5 seconds) or CPR should be given if trained/comfortable while waiting for emergency medical assistance.
6. Administer additional doses of naloxone nasal spray using a new nasal spray with each dose, if exposed patient does not respond or responds and then relapses into respiratory depression, additional doses of naloxone nasal spray may be given every 2 to 3 minutes until emergency medical assistance arrives.

Do not administer naloxone nasal spray to a patient with known hypersensitivity to naloxone.

After EMS arrival, staff will inform responding EMS/paramedics that they have administered naloxone nasal spray and the number of doses used.

Maintenance | Replacement

An inspection of the naloxone nasal spray kit shall be the responsibility of the personnel checking out the naloxone nasal spray kit. Staff shall inspect the kit at the time they check it out. The naloxone nasal spray kit will be kept in a secured, climate controlled area. This is imperative since extreme temperature changes may affect the effectiveness and integrity of the medication.

The Program Administrator will conduct an inspection of the naloxone nasal spray kits on the first workday of each month and collect the prior month's naloxone nasal spray kit log for auditing purposes. The Program Administrator will also perform a monthly audit of these forms to ensure compliance.

Missing or damaged naloxone nasal spray kits will be reported as missing or damaged to the Program Administrator. The Program Administrator will re-issue new kits as needed or as supply allows.

Documentation | Naloxone Report

Upon completing the naloxone administration and briefing of events to the responding medical staff, the staff will complete an "Incident Report" - the incident report will contain event and people (victim, witness, etc.) information. Staff shall include the naloxone usage in the report. The short narrative should include a description of any evidence of drug use (drugs, paraphernalia, etc.) observed at the scene.

A quarterly report will be submitted to Public Health Services on the number of medication given and the number of staff trained during the quarter.

Types of Emergencies & Specific Procedures

Aircraft Crash

SHELTER IN PLACE / EVACUATE

In the event an Aircraft falls on or near the school campus, you will either evacuate or shelter in place depending on where the Aircraft falls. Remain Calm! Call 911 Immediately!

SHELTER IN PLACE

- If aircraft falls off campus it may be safer to shelter in place.
- Direct students to Duck and Cover under tables or near desks.
- If no apparent danger exists, remain in the classrooms with students.
- Take roll and determine if all your students are accounted for.
- Display a RED card if you have more than or not all of your students.
- Display a GREEN card if you have all of your students in your classroom.
- Wait for further instructions.

EVACUATION

- If it is not safe to remain in classrooms, line up the students for an organized evacuation.
- TAKE YOUR ACCOUNTABILITY BOARD.
- Proceed to designated evacuation area if safe to do so.
- Remain Calm.
- If evacuation area is not safe, use alternate open area and communicate location.
- Do not block access to emergency equipment.
- Take roll and determine if you have all the students you are accountable for.
- Display a RED card if you have more than or not all of your students.
- Display a GREEN card if you have all of your students in your line.
- Wait for further instructions.

IF INJURIES OCCUR IDENTIFY NUMBER OF PATIENTS, LOCATION AND EXTENT OF INJURIES

Animal Disturbance

Armed Assault on Campus

In the event there is an Armed Assailant on campus Observe, Orient, Decide, Act (OODA)

Choose your best option for the survival of your students and yourself. Remain alert to a fluid situation. Continue to choose your best option as the event progresses.

CALL 911 AS SOON AS IT IS SAFE TO DO SO. YOU CAN ALSO TEXT 911 IF THAT IS SAFER.

- You may be the first person to sound the alert. Do not wait for a PA announcement. If you hear shots, or see a weapon, sound an alert to your class, text a message if you can to your principal, shout GUN, KNIFE, AXE etc. to alert your neighboring classrooms.
- DECIDE to Lockdown and Barricade or Evacuate or Counter.

IF YOU CHOOSE LOCKDOWN, BUILD BARRICADES

- Instruct student to move into nearest classroom and secure doors and windows.
- Turn off lights, close windows , shades/curtains.
- Barricade doors and windows. Go high, low and deep. Use chairs, desks, chrome carts, book cases. Move FAST.
- Grab any object in case you need to counter: books, staplers, scissors, fire extinguisher, back packs: whatever can be thrown to distract the assailant.
- Distribute students throughout the room but away from windows and doors.

- Mute cell phones.

IF YOU CHOOSE TO EVACUATE

- Tell students we are evacuating now.
- Move fast.
- Move away from the threat and move off campus.
- Continue to orient to sounds and what you see in case you need to change your evacuation pathway or change to lockdown.
- Go to one of the collection centers for your school.
- Call 911, tell them how many students you have with you and your location. When the school bus arrives, help your students board the bus and remain with them at the reunification center until you are dismissed by the Incident Commander. If you are called to serve on the Incident Command team, hand off your students to another staff member.

IF YOU MUST COUNTER

- Use whatever you can throw including your cell phone, wallet, books, purse, back pack, rocks. Your goal is to distract the assailant so you can run away.

HOSTAGE SITUATION

- Remain calm and keep your distance
- Talk with the intruder, only if necessary, in a low non-threatening manner
- Do not attempt to deceive or threaten the intruder
- Maintain order among students

Biological or Chemical Release

HAZARDOUS MATERIALS

EVACUATE / SHELTER IN PLACE

Hazardous materials and chemical spills can be Toxic. If a chemical spill occurs at the school campus or in the immediate area of the school, Call 911 Immediately!

EVACUATE

- Evacuate the area of the campus nearest the spill (classroom, wing, etc.).
- If evacuation area is not safe, use alternate open area and communicate location.
- Be sure the evacuation area is located up-wind from the spill.
- Do not block access to emergency equipment.
- KEEP ALL EXPOSED STUDENTS SEPARATE FROM OTHERS.
- Take your ACCOUNTABILITY BOARD.
- Take roll and determine if you have all of the students you are accountable for.
- If any students are missing, notify the office immediately!
- Help children remain calm.
- Display a RED card if you have more than or not all of your students.
- Display a GREEN card if you have all of your students in your line.
- Wait for further instructions

SHELTER IN PLACE

If it is safe to do so

- Move students into the nearest indoors
- Secure all doors and windows
- Close any circulating air system vents
- Help children remain calm.
- Take roll and determine if you have all of the students you are accountable for.
- If any students are missing, notify the office immediately!

- Display a RED card if you have more than or not all of your students.
- Display a GREEN card if you have all of your students in your classroom.
- Wait for further instructions.

IF INJURIES OCCUR IDENTIFY NUMBER OF PATIENTS, LOCATION AND EXTENT OF INJURIES

Bomb Threat/ Threat Of violence

BOMB THREAT
EVACUATE

A Bomb threat exists when a suspected bomb or explosive device has been reported, but not located. Remain Calm! Call 911 Immediately! Cease radio communication on campus, if a suspicious package is found, DO NOT TOUCH IT! If threat indicates that the danger is out in an open area, Shelter in Place and wait for controlled evacuation instructions.

EVACUATION

- If it is not safe to remain in classrooms, line up the students for an organized evacuation.
- TAKE YOUR ACCOUNTABILITY BOARD.
- Proceed to designated evacuation area if safe to do so.
- If evacuation area is not safe, use alternate open area and communicate location.
- Move students a maximum safe distance from buildings, stay clear of trash cans, lockers and any containers in the open.
- Do not block access to emergency equipment.
- Take roll and determine if you have more than or not all of your students.
- Display a RED card if you have more than or not all of your students.
- Display a GREEN card if you have all of your students in your line.
- Wait for further instructions.

Note: TRY TO GAIN AS MUCH INFORMATION FROM THE CALLERS AS POSSIBLE

- EXACT WORDING OF THE THREAT
- BACKGROUND NOISES
- CALLER VOICE (ANGRY, FAMILIAR, CRYING, ACCENT, EXCITED, ETC.).
- APPROXIMATE AGE, SEX AND ETHNICITY OF CALLER
- ASK NAME OF CALLER
- WHERE IS THE BOMB?
- WHAT KIND OF BOMB IS IT?
- WHY DID YOU PLACE THE BOMB?

MAKE SURE TO NOTE WHAT TIME THE CALL CAME IN AND THE PHONE NUMBER IT CAME IN ON

Bus Disaster

Disorderly Conduct

INTRUDER
SHELTER IN PLACE

In the event there is an Intruder on campus Remain Calm! Hostile individuals are often emotionally disturbed, avoid antagonizing them. Call 911 IMMEDIATELY!

SHELTER IN PLACE

- Instruct students to move into nearest classrooms and secure doors.
- Duck and Cover under tables or near desks.
- Turn off lights, close windows, shades / curtains.
- Barricade doors if needed.

- Do not allow children to run outside.
- Help children to remain calm and quiet.
- Turn on your computer, if safe, to receive e-mail.
- Turn down cell phones and radios.
- Take roll and determine if you have all of the students you are accountable for.
- Display a RED card if you have more than or not all of your students.
- Display a GREEN card if you have all of your students in your classroom.
- Wait for further instructions.

HOSTAGE SITUATION

- Remain calm and keep your distance.
- Talk with the intruder, only if necessary, in a low non-threatening manner.
- Do not attempt to deceive or threaten the intruder.
- Maintain order among students.

NOTE: BE CONSTANTLY ALERT AND PREPARED FOR VIOLENCE. IF INJURIES OCCUR IDENTIFY NUMBER OF PATIENTS, LOCATION AND EXTENT OF INJURIES

Earthquake

SHELTER IN PLACE / EVACUATE

Earthquakes will occur without warning and aftershocks can follow. Remain Calm. To ensure students and staff safety, use the following procedures;

SHELTER IN PLACE

- Instruct students to Duck and Cover under tables or desks.
- Move away from windows with large panes of glass, bookshelves and heavy suspended light fixtures.
- Do not allow children to run outside there will be a danger of falling debris.
- Take roll and determine if students under your supervision are accountable for.

EVACUATION

Evacuate when safe to do so or indicated by the alarm. This will follow your pre-established evacuation route when the earthquake is over.

- Do not use matches or lighters if power is out.
- Line students up and exit the classroom to the designated area.
- DO NOT RUN.
- TAKE YOUR ACCOUNTABILITY BOARD.
- Take roll and determine if you have all the students you are supervising.
- Display a RED card if you have more than or not all of your students.
- Display a GREEN card if you have all of your students in your line.
- Wait for further instructions.

OUTSIDE

If students are outside when an earthquake begins, the safest place is in an open area away from potential falling objects (trees, portable backstops, power lines and buildings).

- Stay in the open until further directions are given.
- Move students to a safe area away from dangers.

IF THERE ARE INJURIES OR DAMAGE TO PROPERTY CALL 911 IMMEDIATELY

Explosion or Risk Of Explosion

SHELTER IN PLACE / EVACUATE

If an Explosion occurs while school is in session, you will either evacuate or shelter in place depending on where the explosion occurs. Remain Calm! Call 911 immediately!

SHELTER IN PLACE

- Direct students to Duck and Cover under tables or near desks.
- If no apparent danger exists, remain in the classroom with students.
- Take roll and determine if all your students are accounted for.
- Display a RED card if you have more than or not all of your students.
- Display a GREEN card if you have all of your students in your classroom.
- Wait for further instructions.

EVACUATION

- If it is not safe to remain in your classrooms, line up the students for an organized evacuation.
- TAKE YOUR ACCOUNTABILITY BOARD.
- Proceed to designated evacuation area if safe to do so.
- Remain Calm.
- If evacuation area is not safe, use alternate open area and communicate location.
- Do not block access to emergency equipment.
- Take roll and determine if you have all the students you are accountable for.
- Display a RED card if you have more than or not all of your students.
- Display a GREEN card if you have all of your students in your line.
- Wait for further instructions.

IF INJURIES OCCUR IDENTIFY NUMBER OF PATIENTS, LOCATION AND EXTENT OF INJURIES

Fire in Surrounding Area

EVACUATE

If a fire occurs while school is in session, the evacuation plan will be implemented if safe to do so. Remain Calm!

INSIDE

- Sound the fire alarm and call 911.
- Line up the students for an organized evacuation.
- TAKE YOUR ACCOUNTABILITY BOARD.
- Proceed to designated evacuation area if safe to do so.

EVACUATION

- Remain Calm.
- If evacuation area is not safe, use alternate open area and communicate location.
- Do not block access to emergency equipment.
- Line students up in designated evacuation areas.
- Take roll and determine if you have all the students you are accountable for.
- Display a RED card if you have more than or not all of your students.
- Display a GREEN card if you have all of your students in your line.
- Wait for further instructions.

IF INJURIES OCCUR IDENTIFY NUMBER OF PATIENTS, LOCATION AND EXTENT OF INJURIES

Fire on School Grounds

EVACUATE

If a fire occurs while school is in session, the evacuation plan will be implemented if safe to do so. Remain Calm!

INSIDE

- Sound the fire alarm and call 911.
- Line up the students for an organized evacuation.
- TAKE YOUR ACCOUNTABILITY BOARD.
- Proceed to designated evacuation area if safe to do so.

EVACUATION

- Remain Calm.
- If evacuation area is not safe, use alternate open area and communicate location.
- Do not block access to emergency equipment.
- Line students up in designated evacuation areas.
- Take roll and determine if you have all the students you are accountable for.
- Display a RED card if you have more than or not all of your students.
- Display a GREEN card if you have all of your students in your line.
- Wait for further instructions.

IF INJURIES OCCUR IDENTIFY NUMBER OF PATIENTS, LOCATION AND EXTENT OF INJURIES

Flooding

SEVERE WEATHER

SHELTER IN PLACE / EVACUATE

Warning of an impending weather event may be received via radio, television or internet. If time and conditions permit, students may be sent home via normal transportation routines. If weather conditions develop during school hours without sufficient warning, Remain Calm.

SHELTER IN PLACE

- Move students into nearest indoors away from play areas and fields.
- Inside the classroom instruct students and staff to take cover.
- Keep students away from windows.
- Help students remain calm.
- Take roll and determine if you have all of the students you are accountable for.
- If any students are missing, notify the office immediately!
- Display a RED card if you have more than or not all of your students.
- Display a GREEN card if you have all of your students in your classroom.
- Wait for further instructions.

EVACUATE

- If conditions inside the building are not safe, EVACUATE the building.
- Line up students in an orderly fashion and proceed to designated areas.
- Stay away from power lines and over head hazards.
- Bring you ACCOUNTABILITY BOARDS.
- Take roll and determine if you have all the students you are accountable for.
- Display a RED card if you have more than or not all of your students.
- Display a GREEN card if you have all of your students in your line.
- Wait for further instructions.

IF THERE ARE INJURIES OR DAMAGE TO PROPERTY CALL 911 IMMEDIATELY

Loss or Failure Of Utilities

MAJOR SYSTEMS FAILURE

SHELTER IN PLACE / EVACUATE

If there is a Major Systems Failure; GAS, HEAT, WATER, OR POWER, Remain Calm!

SHELTER IN PLACE

- Help the students remain calm.
- Make sure there are no sources of ignition on during outages.
- Take roll and determine if you have all of the students you are accountable for.
- Display a RED card if yo have more than or not all of your students.
- Display a GREEN card if you have all of your students in the classroom.
- If there are students missing, notify the office immediately!
- Wait for further instructions.

EVACUATE

- If conditions inside the building are not safe, EVACUATE the building.
- Line up students in an orderly fashion and proceed to designated areas.
- Bring your ACCOUNTABILITY BOARDS.
- Take roll and determine if you have all of the students you are accountable for.
- Display a RED card if yo have more than or not all of your students.
- Display a GREEN card if you have all of your students.
- Wait for further instructions.

Motor Vehicle Crash

Pandemic

See Disaster Procedure Emergencies - Attachment NMCUSD COVID Prevention Program

Psychological Trauma

The school follows the Multi-Tiered System of Support (MTSS) process to provide services to individual students as needed in the following areas: academic support, behavioral and social emotional learning. All staff members can submit a referral to the MTSS team. The MTSS team reviews referrals on a weekly basis to determine supports, sets action plans and monitors students during the site weekly team meetings. The school-based mental health therapists participates on the site MTSS team. Students can be referred to the school-based mental health therapist through the MTSS process as well as immediate response under the Suicide Prevention and Intervention and/or Threat Assessment and Response Protocols.

* Please see attachment for the Suicide Prevention and Intervention and Threat Assessment and Response Protocols.

Suspected Contamination of Food or Water

Tactical Responses to Criminal Incidents

Unlawful Demonstration or Walkout

Emergency Evacuation Map

NORTH MONTEREY COUNTY *Middle School*

